

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
M.C. o/b/o E.C., a minor,
Plaintiff,
v.

Department of Education of the City of
New York,

Defendant.
-----X

COMPLAINT

Case File No. 12 cv-09281-CM
Judge Collen McMahon
Magistrate Judge Andrew J. Peck
ECF CASE

INTRODUCTION

1. This is an action to recover attorney's fees and costs incurred in the course of administrative proceedings brought under the Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1415 ("IDEIA").
2. Plaintiff and the minor student she represents are identified by initials in the caption of this action to preserve their confidentiality, in accordance with the privacy provisions of the IDEIA, 20 U.S.C. § 1416(c), and the Family Education and Privacy Rights Act, 20 U.S.C. § 1232(g) ("FERPA").

JURISDICTION AND VENUE

3. This Court has jurisdiction over Plaintiff's federal claims pursuant to 20 U.S.C. § 1415(i)(3)(A)-(G), as an action for an award of reasonable attorney's fees and costs to prevailing parties in administrative proceedings under the IDEIA 20 U.S.C. § 1400 et seq.; and under 28 U.S.C. § 1331 as an action raising a federal question.
4. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(1) as the judicial district in which Defendant has its principal offices. Venue is also appropriate pursuant to 28 U.S.C. § 1391(b)(2),

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because it is the district in which a substantial part of the events or omissions giving rise to the claim occurred, as it is E.C.'s home district.

PARTIES

5. Plaintiff M.C. is the parent and natural guardian of the identified minor student, who was a student with disabilities and resided in the New York at all relevant times herein.

6. Defendant Department of Education of the City of New York ("the DOE") is a corporate body, created by Article 52 of the New York State Education Law, §§ 2550 et seq. It manages and controls the educational affairs of the New York City public schools, and has its principal administrative offices at 52 Chambers Street, New York, New York. Defendant DOE at all times was responsible for providing a free appropriate public education to E.C.

FACTS

7. Section 1415(b)(6)(A) of IDEIA provides procedural safeguards that enable parents and students to challenge the local educational agency's decisions, including the right to file a due process complaint requesting a hearing "with respect to any matter relating to the identification, evaluation, or placement of the child, or the provision of a free public education to such child."

8. On or about November 9, 2009, Plaintiff retained Lincoln Square Legal Services (LSLS) to represent her in seeking an Impartial Hearing pursuant to the IDEIA.

9. Lincoln Square Legal Services, Inc. (LSLS) is a charitable, not-for-profit organization established to implement Fordham University School of Law's "in-house" or live-client clinical program, an educational program of eligibility, training, supervision, duties and activities for law students who have completed at least two semesters of law school. LSLS is authorized by the Appellate Division of the

Supreme Court of the State of New York to provide legal services without fee to low-income families in civil and criminal legal matters. The case was handled by various law student interns, enrolled in the Family Advocacy Clinic at Fordham (FAC). The FAC employs an innovative, holistic, interdisciplinary approach to client representation whereby law students collaborate with graduate social work students to assist the clinic's low income clients in achieving their legal objectives. Law students enrolled in the clinic practice under the supervision of Leah A. Hill, Esq., Associate Clinical Professor, Fordham University School of Law and Supervising Attorney, LSLS. Social work students are supervised by Kathy Ho, an M.S.W. employed by the law school.

10. On November 20, 2009, plaintiff filed a due process complaint under 20 U.S.C. §1415(f) with the DOE, Impartial Hearing Office Case No. 125343, which alleged that E.C. had been denied a free appropriate public education (FAPE). Plaintiff sought compensatory education services in the form of speech therapy to compensate for missed services; compensatory reading and writing instruction in the form of one on one tutoring; and, requested that the CSE reconvene to draft an appropriate IEP for placement in a nonpublic school (Exhibit A).

11. Impartial Hearing Officer (IHO) Ralph Pennington, Esq., was appointed to preside over the due process hearing pursuant to N. Y. Education Law §4401. The hearing was held on June 9, 2010 and September 21, 2010, before IHO Pennington, at the offices of the Department of Education Impartial Hearing Office at 131 Livingston Street, in Brooklyn, N.Y.

12. When the hearing concluded, IHO Pennington gave both parties the opportunity to submit written closing statements. He directed the parties' representatives to submit their closings within six weeks, on November 5, 2010. LSLS prepared a twenty-nine page closing brief which provided a detailed analysis

of E.C.'s voluminous educational records and the relevant law. The DOE representative did not submit a closing statement.

13. On January 4, 2011, IHO Pennington issued a decision in favor of the plaintiff on *all* of the claims she asserted. IHO Pennington also granted plaintiff all of the relief requested. Plaintiff was therefore the prevailing party on all issues in the Impartial Hearing within the meaning of IDEIA 20 U.S.C. § 1415(i)(3). As prevailing party, Plaintiff is entitled to reasonable attorney's fees and costs.

14. This case was very complex because of E.C.'s extensive history with the DOE, the intractable nature of E.C.'s disability, the DOE's repeated procedural and substantive failures, the number of evaluations E.C. underwent and the lack of responsiveness and preparedness on the part of the DOE's representatives while the proceeding was pending. As a result, during the fifteen month period of activity on this case, LSLS expended 978.3 hours to ensure a fair outcome for E.C.

15. When the hearing commenced, E.C. was a fourteen year old student attending public school in New York City who presented with multiple deficits in all academic areas, a long history of speech and language challenges and a collection of problem behaviors, all of which adversely affected his learning.

16. Complicating matters, the DOE representatives handling this matter were unresponsive and although they were not prepared for either hearing date and did not offer any testimony or evidence, they provided no advance notice to plaintiff of their plans and insisted on going forward with the case.

17. LSLS singlehandedly obtained, reviewed and submitted hundreds of pages of E.C.'s educational records dating back to 2003 in order to demonstrate the DOE's persistent failure to respond to E.C.'s problems (In re E.C. (2011)) ("Exhibit B"). The result was a scathing decision in favor of the plaintiff on all issues.

18. IHO Pennington determined that “a gross violation of FAPE was committed by the DOE for the 2008-2009 and 2009-2010 school years” (Exhibit B). He stated further “clearly...the student has been deprived of instruction over a substantial period of time” (Exhibit B). He found that “the student’s classification changed numerous times.....the student has not been properly evaluated. Exhibits twelve, fourteen and fifteen improperly classify E.C. with the non-existent classification, “mentally deficient”, a category that does not exist under the IDEIA or any applicable New York State provisions. The fact that such improper classification was repeated in more than one IEP is proof that the DOE failed to properly develop an appropriate IEP over a substantial period of time” (Exhibit B).

19. The complexity of the case is further demonstrated by IHO Pennington’s acknowledgement of E.C.’s wide-ranging educational challenges. He stated that E.C. had “poor comprehension, spelling, reading and math skills...” and that he was “impulsive and has difficulty controlling his emotions” (Exhibit B) Further, he found that E.C. exhibited a lack of academic progress during the years in question, stating, “The parent’s credible testimony along with exhibits nine, ten, twelve, fourteen and twenty-two establish the students delays and lack of progress. The decision goes on to cite several additional procedural and substantive violations” (Exhibit B)

20. The relief was similarly sweeping. He ordered “the Department to fund and/or provide the parent with a Related Services Authorization (“RSA”) for 198 hours of speech therapy and 360 hours private tutoring at Board rate” (Exhibit B). He ordered the “CSE team to reconvene within two to three weeks and consider all evaluations, consider deferral to Central Based Support Team (“CBST”) and consider proposed placement of School of Language and Communication Development; and to devise an appropriate IEP” (Exhibit B).

21. Subsequent to the Impartial Hearing Decision, LSLS made written demand upon Defendant for payment of reasonable attorney's fees in connection with LSLS's representation of Plaintiff at the Impartial Hearing.

22. The demand for attorney's fees was in writing and accompanied by, (1) a chronological log of contemporaneously maintained billing records, computed to one-tenth of an hour for each task performed, (2) the resume of each legal intern and attorney who provided the services (3) an affirmation by the supervising attorney attesting to the provision of the services identified in the request, (4) a copy of the retainer agreement between LSLS and the plaintiff, (5) a written authorization signed by the plaintiff for LSLS to demand and receive attorney's fees.

23. LSLS later informed the DOE that the in preparing the demand billing judgment was exercised to eliminate all excessive, unnecessary and redundant entries that are inherent in a law school clinic. Hence our demand reflected that we were proactive by making reductions as necessary to comply with governing case law. Although the demand submitted to the DOE did not include the activities for the hours we chose to remove, we have submitted a log with this application which includes all the hours we expended. The log demonstrates our billing judgment by indicating "no charge" next to the items we chose to remove from consideration. Please note that the name of the parent and minor child have been redacted from the log submitted with this complaint.

24. The hours expended by LSLS in connection with the Impartial Hearings were reasonable in relation to the services required and performed. The fees requested were based on prevailing hourly rates in the community for similar services provided by attorneys and law student interns with comparable professional experience. The fees we seek total \$57,345.00, representing 978.3 hours at hourly rates of \$150 for legal student interns and \$400 for supervising attorney (Exhibit C).

25. Defendant has wrongfully neglected and refused to make payment of the fees and costs demanded.
26. Plaintiff has made reasonable efforts to resolve this dispute without resort to this federal court action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the court:

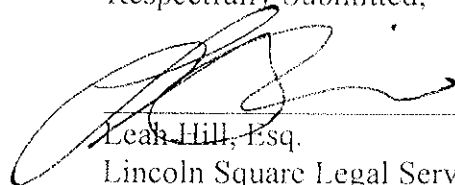
Assume jurisdiction of this action;

Award Plaintiff reasonable attorney's fees and costs, in an amount to be determined at trial, incurred in connection with the successful prosecution of Plaintiff's claim as stated herein, as well as in connection with LSLS's efforts to recover reasonable attorney's fees and costs, including those incurred in the prosecution of this action; and

Award such other and further relief as the Court may deem just and proper.

Dated: New York, New York
December 5, 2012

Respectfully Submitted,



Leah Hill, Esq.

Lincoln Square Legal Services,
33 West 60th St
Third Floor
New York, New York 10023
212-636-6934

EXHIBIT A

LINCOLN SQUARE LEGAL SERVICES, INC.

Executive Director
Ian Weinstein

Supervising Attorneys
Cheryl G. Bader
James A. Cohen
Elizabeth B. Cooper
Romaine L. Gardner
Mercer Givhan
Brian Glick
Leah A. Hill
Ron Lazebnik

Supervising Attorneys
Elizabeth A. Maresca
Michael W. Martin
Paul Radvany
Martha Rayner
Beth G. Schwartz
Marcella Silverman
Gemma Solimene

Supervising Social Workers
Kathy Ho, M.S.W.
Lyn Kennedy Slater, C.S.W., Ph.D.

Committee on Special Education:
Chair: Marilyn Sprecher
388 W. 125th St.
New York, NY 10027
Phone: (212) 342-8300

Re: [REDACTED]
CSE Case #: 03-21841
Date of Birth: August 12, 2003
NYC ID: 275017994
Home District: 3
Service District: Region 3

Current Placement:
MS 247 Dual Language Middle School
32 W 92nd Street
New York, NY 10025

Parent: [REDACTED]
845 Columbus Avenue, Apt 8G
New York, NY 10025

Dear Ms. Sprecher:

Lincoln Square Legal Services ("LSLS") represents [REDACTED] ("[REDACTED]"), on behalf of her son [REDACTED] ("[REDACTED]"), in her quest to ensure that [REDACTED] receives a free and appropriate public education ("FAPE") that he is entitled to under the Individuals with Disabilities in Education Act (IDEA) and New York law. Specifically, the CSE has:

- i.) Failed to properly identify [REDACTED] disability
- ii.) Failed to properly classify [REDACTED] in 2007, 2008 and 2009
- iii.) Failed to provide [REDACTED] with an adequate evaluation in developing his IEP in 2007, 2008 and 2009
- iv.) Failed to develop an adequate IEP for [REDACTED]
- v.) Failed to provide [REDACTED] with a Free and Appropriate Public Education; and,
- vi.) Failed to properly implement [REDACTED] 2008 and 2009 IEP.

Failure to Provide Free and Appropriate Public Education

As per 20 USC § 1401(9), a school is required to provide each student with a free and appropriate public education that is, (A) provided at public expense, under public supervision and direction, and without charge, (B) meet the standards of the state education agency, (C) include an appropriate preschool, elementary school, or secondary school education in the state involved; and, (D) are provided in conformity with the individualized education program required under §1414(d) of this title.

The Supreme Court in *Board of Education v. Rowley* (458 US 176 at 188-189) determined that a FAPE consists of "educational instruction specifically designed to meet the unique needs of the handicapped child supported by such services as necessary to permit the child to benefit from the instruction." Moreover, the Court in *Rowley* (458 US 176 at 206-207) also states that "a court's inquiry in suits brought under § 1415(e)(2) is twofold. First, has the State complied with the procedures set forth in the Act? And second, is the individualized educational program developed through the Act's procedures reasonably calculated to enable the child to receive educational benefits?" [REDACTED] has not made any educational progress for close to three years particularly in reading where his scores have not improved and, in fact have regressed. Further, [REDACTED] 2008 IEP indicated that he was to receive speech and language services 2X40X5 with an additional 1X40X1 to "address attention and auditory processing skills. Prior to the formation of his 2008 IEP, [REDACTED] had been receiving speech and language therapy in a group 4 times per week. (2008 IEP page 3). On his 2008 IEP, he was only provided with speech and language services once per week (2008 IEP page 4). It is clear from all of his school records that Enrique has not made progress, and that he also has not been receiving the services mandated in his 2008 IEP. Furthermore, while [REDACTED] has shown no signs of progress these services have not been increased in the 2009 IEP. Therefore, the Department of Education has failed in providing [REDACTED] with a FAPE as [REDACTED] has not been provided an adequate evaluation and has not had an individualized educational program reasonably calculated to confer educational benefit.

Failure to Provide [REDACTED] with an Adequate Evaluation and Identify His Disability

On September 25, 2009 [REDACTED] was evaluated by Arlene Pinetta, school psychologist at MS 247. This evaluation was not sufficiently comprehensive to comport with N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.4 (b)(4) requiring that "The reevaluation shall be conducted by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability."

Furthermore, data available to the CSE indicated that further testing was necessary to properly identify [REDACTED] needs. In his 2008 IEP, [REDACTED] demonstrated reading comprehension skills within a third grade level. His fluency and word recognition were comparable to a third grade student, as well as his writing skills. Psychological testing conducted by Arlene Pinetta, on September 25, 2009 revealed that [REDACTED] reading decoding skills placed him at 2.6 grade level and his reading comprehension also tested at a 2.6 grade level. These test scores indicate that not only has [REDACTED] not made educational progress, but he has regressed.

Pursuant to N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.4, the CSE and other qualified professionals should have reviewed their own evaluation data indicating that [REDACTED] had persistent and severe comprehension and communication problems that had not been addressed for years. The CSE should have used this data to identify other possible evaluations that might have better identified his deficits and targeted specific services accordingly.

Finally, the evaluation conducted in 2009 was not sufficient to assess [REDACTED] in all areas related to his suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, vocational skills, communicative status and motor abilities, in compliance with N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.4 (b)(6)(vii). Indeed in [REDACTED] 2008 IEP report, the Department of Education recommended a Central Auditory Processing Disorder Evaluation. This recommendation was consistent with [REDACTED] 2006 IEP which described him as having "reduced auditory memory/processing skills". Further testing of these skills and [REDACTED] disability in this area has yet to occur. Without additional evaluations, [REDACTED] disability and classification remain in question.

Failure to Properly Implement Enrique's IEP

Pursuant to N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.4 (c)(4)(e)(2), A school district shall ensure that each student with a disability has an IEP in effect at the beginning of the school year. The Board of Education has not satisfied this requirement. [REDACTED] most recent IEP was created on October 2, 2009. This IEP was created past the start of the school year. Further, to this date the IEP has not been properly implemented. [REDACTED] is currently in a classroom staffing ratio of 20:1. His IEP created on 10/2/09 mandates for a classroom with a 12:1 staffing ratio. Not only has this year's IEP never been implemented, but his IEP program for 2008 that mandated a classroom staffing ratio of 13:1 was also never fulfilled. In fact, since being placed at MS 247 [REDACTED] has never received the required staffing ratio provided by his IEP. Furthermore, in [REDACTED] latest IEP a new staffing ratio of 12:1:1 was to occur by November 2, 2009. It is currently November 20, 2009 and the IEP has yet to be properly implemented. M.S. 247 does not have the ability to provide a 12:1 classroom setting.

As per N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.4 (c)(4), while [REDACTED] current placement is inadequate to fulfill his educational needs, by law he is entitled to remain in his current placement until an appropriate review based on an independent evaluation of [REDACTED] educational needs occurs. Switching [REDACTED] placement without a proper independent evaluation will only further delay [REDACTED] educational progress, as it is still unclear as to what [REDACTED] needs are.

Consequently we are requesting:

That the Department of Education grant [REDACTED] the right to obtain a comprehensive independent evaluation of [REDACTED] at public expense, pursuant to N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.5 to be administered by a multidisciplinary team or group of persons that will include but is not limited to, a full psychiatric evaluation; neurological evaluation, physical examination; and an auditory-processing evaluation.

That [REDACTED] be provided with information regarding where an independent educational evaluation may be obtained; and the school district's criteria applicable for

independent educational evaluations pursuant to N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.4 (b)(4) and N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.5(g)(1)

That [REDACTED] current program and placement be reviewed, taking into account said independent evaluation

That [REDACTED] be provided with additional educational services to make up for the time he was improperly classified, evaluated and placed. Such services shall include but not be limited to private tutoring and any other services that will compensate for the above mentioned failures.

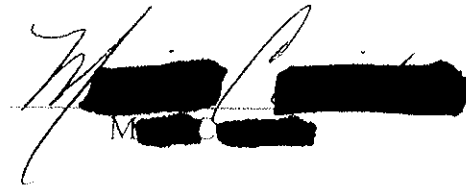
That pursuant to N.Y. Comp. Codes. R. & Regs. tit. 8 § 200.4 (e)(4), [REDACTED] remain in his current placement pending a new recommendation of the committee on special education, unless the board and parent otherwise agree.

That such other and further relief deemed necessary be granted.

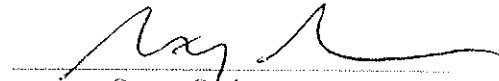
Conclusion

Therefore we respectfully request that that the relief herein requested be granted in its entirety. We look forward to hearing from you soon, and thank you in advance for your cooperation. Please feel free to contact us at 212-636-6934 with any questions.

Dated: November 20, 2009

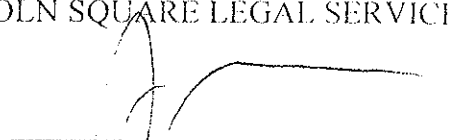
A handwritten signature is shown above a series of black redaction bars. The signature appears to be "M. [redacted]".

LINCOLN SQUARE LEGAL SERVICES INC.
BY:

A handwritten signature, likely of Stacy Sadove, is written over a horizontal line.

Stacy Sadove
Legal Intern
33 W. 60th Street, 3rd Fl
New York, NY 10023
212-636-6934

LINCOLN SQUARE LEGAL SERVICES INC.
BY:

A handwritten signature, likely of Josh Gelb, is written over a horizontal line.

Josh Gelb
Legal Intern
33 W. 60th Street, 3rd Fl
New York, NY 10023


LINCOLN SQUARE LEGAL SERVICES INC.
BY:

A handwritten signature, likely of Leah Hill, is written over a horizontal line.

Leah Hill
Supervising Attorney
33 W. 60th Street, 3rd Fl
New York, NY 10023

EXHIBIT B

FINDINGS OF FACT AND DECISION

Case Number:	125343
Student's Name:	
Date of Birth:	November 26, 1996
District:	3
Hearing Requested By:	Parent
Date of Hearing:	June 9, 2010 September 21, 2010
Hearing Officer:	Ralph Pennington, Jr., Esq.

Hearing Officer's Findings of Fact and Decision

Case No. 125343

NAMES AND TITLES OF PERSONS WHO APPEARED ON JUNE 9, 2010

PARENT

LEAH HILL, Attorney

ALEXANDRA ALVAREZ, Legal Intern

RACHEL WU, Legal Intern

KASI LEGRAND, Social Worker

AARON SCHEINWALD, Legal Intern

DEPARTMENT OF EDUCATION

WILLIAM R. WOODS, CSE Representative

NAMES AND TITLES OF PERSONS WHO APPEARED ON SEPTEMBER 21, 2010

PARENT

LEAH HILL, Attorney

[REDACTED] Parent

BERNARD DUFRESNE, Legal Intern

SIOBHAIN MINAROVICH, Legal Intern

KATHERINE ACOSTA, Social Worker Intern

AARON SCHEINWALD, Legal Intern

TANYA COVINGTON, Social Worker

DEPARTMENT OF EDUCATION

NICHOLAS CHAVARRIA, CSE Representative

Hearing Officer's Findings of Fact and Decision

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Case No. 125343

PARENT'S POSITION

The parent contends that the New York City Department of Education (hereinafter referred to as "Department"), has failed to identify and properly classify this student for the 2007, 2008 & 2009 school years. The department failed to neither provide the student with an adequate Individualized Education Program (IEP) nor properly implement an IEP for the 2008 and 2009 school years.

With respect to relief, the parent seeks: an related services authorization ("RSA") to receive a minimum of one hundred and ninety-eight hours of compensatory education in the form of speech therapy to compensate for missed services; an RSA to receive three hundred and sixty hours of compensatory education in the form of reading and writing instruction; Committee on Special Education (CSE) to reconvene to draft an appropriate IEP with a deferral to Central Based Support Team (CBST) so that the student may be placed in a nonpublic school setting with transportation provided; and the parent seeks placement at the School for Language and Communication Development.

DEPARTMENT'S POSITION

The Department is silent as to any argument in opposition, except that if the requested placement is not available then that a comparable placement be made immediately. Secondly, the department argues that the RSA's are provided for specific related services with a specific provider and not for a non-specified provider.

Evidence presented:

On Behalf of the Department;

The department presented no documentary or testimonial evidence.

On Behalf of the Parent;

██████████, Parent, testified that she is the parent of the student (Tr.26). She first noticed that the student had issues around ages six or seven (Tr.27). The student was not listening and attending (Tr.27). He had difficulty with his homework (Tr.28). He had difficulty with his homework every day (Tr.29). It would take him five or six hours to do his homework (Tr.29). The student has made no progress in the past five-six years (Tr.32). Said witness requested to the department that the student be reevaluated and

Hearing Officer's Findings of Fact and Decision

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never received a response (Tr.32). She feels that the student requires a small class (Tr.32). She has no difference from last school year to this school year (Tr.33). She would like to be more involved in the IEP process and more in contact with his teachers (Tr.33). Moreover, the student has difficulties at home (Tr.34). Often, she has to repeat herself when requesting him to do something (Tr.35). The student is currently failing his academic classes (Tr.35).

No cross examination was conducted of this witness.

FINDINGS FACTS AND CONCLUSIONS OF LAW:

I find that the evidence clearly establishes that the student is a fourteen (14) year old student who is classified as speech and language impaired on the October 2, 2009 IEP. The most recent IEP of August 2010 classifies the student with an emotional disturbance. The student presents with poor comprehension, spelling, reading and math skills. Exhibit twenty-two shows that academically, the student performs in a range from 2.6 to 6.0 grade equivalent in various academic domains. The student is impulsive and has difficulty controlling his emotions. He has been diagnosed with attention deficit hyperactive disorder and oppositional defiant disorder.

Compensatory education, i.e., special education services provided to a student is a permissible remedy under the Individuals with Disabilities Education Act (IDEA) when the student has been excluded from school or denied appropriate educational services for an extended period of time (Mrs. C. v. Wheaton, 916 F.2d 69 [2d Cir. 1990]; Burr by Burr v. Ambach, 863 F.2d 1071 [2d Cir. 1988]; Lester H. v. Gilhool, 916 F.2d 865 [3d Cir. 1990]; Miener v. State of Missouri, 800 F.2d 749 [8th Cir. 1986]). Compensatory education is an equitable remedy that is tailored to meet the circumstances of the case (Wenger v. Canastota, 979 F. Supp. 147 [N.D.N.Y. 1997]). It may be awarded if there has been a gross violation of the IDEA resulting in the denial of, or exclusion from, educational services for a substantial period of time (Mrs. C. v. Wheaton, 916 F.2d 69 [2d Cir. 1990]; Burr v. Ambach, 863 F.2d 1071 [2d Cir. 1988]; Application of the Bd. of Educ., Appeal No. 02-047).

Hearing Officer's Findings of Fact and Decision

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Case No. 125343

While, compensatory education is a remedy that is available to students who are no longer eligible for instruction, I note that State Review Officers have awarded additional services to students who remain eligible to attend school and have been denied appropriate services, if such deprivation of instruction could be remedied through the provision of additional services before the student becomes ineligible for instruction by reason of age or graduation (Application of a Child with a Disability, Appeal No. 05-096; Application of a Child with a Disability, Appeal No. 04-054; Application of the Bd. of Educ., Appeal No. 02-047; Application of a Child with a Disability, Appeal No. 02-042; Application of a Child with a Disability, Appeal No. 02-030).

Based upon my review of the record, I find that a gross violation of FAPE was committed by the department for the 2008-2009 and 2009-2010 school years. Therefore, I agree with the parent's attorney that the student is entitled to and has the opportunity to receive the additional services requested. The parent's credible testimony along with exhibits nine, ten, twelve, fourteen and twenty-two, establish the student's delays and lack of progress. Further, the record establishes that the student's classification has been changed numerous times. The department presents no evidence and no witnesses in this matter.

Further, the record substantiates that the student has not been properly evaluated. Exhibits twelve, fourteen and fifteen improperly classify with the non-existent classification of "mentally deficient". A category that does not exist under the IDEA or any applicable New York State Law provisions. The fact that such improper classification was repeated in more than one IEP is proof that the department failed to properly develop an appropriate IEP over a substantial period of time.

Moreover, a review of exhibit fourteen reveals that the IEP team of March 17, 2007 was not properly composed. Said IEP team did not have a special education teacher, a district representative, a parent or a parent member. Said IEP team clearly was missing mandatory members of the team. This evidence further corroborates the parent's argument that the department has not only failed to provide FAPE to this student but failed to develop an appropriate IEP and properly classify this student over a number of years. Furthermore, the parent did not attend the CSE meeting that resulted in exhibits

Hearing Officer's Findings of Fact and Decision

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Case No. 125343

fourteen and fifteen; therefore said IEP's were developed without meaningful participation of a key CSE member, the parent.

Clearly, as a result of the above-noted discussion, the student has been deprived of instruction over a substantial period of time which the department does not refute. Although it is alleged by the parent that the student was not provided with numerous speech therapy sessions, the department fails to present any evidence to rebut and or counter said argument. On the basis of exhibits sixteen and twenty-two, it appears that the student has missed at least one hundred and ninety-eight hours of speech therapy.

Furthermore, to remedy the denial of FAPE and the lack of instruction and services, under these circumstances, the parent seeks additional services of private tutoring. The record reveals that the student has poor reading and writing skills (Exhibit 30). The parent requests three hundred and sixty hours of private tutoring at the rate of one hundred ten dollars per hour. However, the parent does not submit any evidence to justify the requested enhanced rate, inclusive of a particular provider, for said private tutoring. Therefore, the private tutoring will be provided at the department rate.

Thus, I direct the department to provide the student with the additional services, noted above to allow him to make up for instruction and services that he missed. Thus, the student is to be provided with up to one hundred and ninety-eight hours of speech and language therapy and three hundred and sixty hours of private tutoring, to commence from the date of this decision until June 30, 2012. The private tutoring is to be provided at the department rate. If necessary, the department is to provide the parent with a Related Services Authorization (RSA) so that she may acquire the necessary additional services noted above.

Lastly, pursuant to the parent's request, a duly constituted CSE team is to reconvene, within two-three weeks, and said CSE team is to consider all evaluations and also consider a deferral to CBST for placement/program and/or the School for Language and Development as a proposed placement. The parent further requests that the student be placed at the School for Language and Communication Development. However, the record is devoid of any evidence to substantiate the appropriateness of said placement.

Hearing Officer's Findings of Fact and Decision

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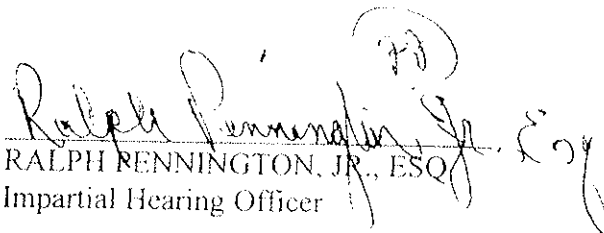
Case No. 125343

The parent did not testify as to the proposed school nor was any other witness presented to testify to such. There is no documentary evidence to substantiate the appropriateness of the proposed placement. Therefore, the CSE team is to consider said potential placement. It is hereby:

So Ordered,

The department is to provide the student, as compensatory education, with up to one hundred and ninety-eight hours of speech and language therapy and three hundred and sixty hours of private tutoring, to commence from the date of this decision until June 30, 2012. The private tutoring is to be provided at the department rate. Also, a duly constituted CSE team is to reconvene, within two-three weeks, to develop an appropriate IEP. Said CSE team is to consider all evaluations and also consider a deferral to CBST for placement/program and/or the School for Language and Development as a proposed placement. If necessary, the department is to provide the parent with an RSA so that she may acquire the necessary additional services noted above.

Dated: December 30, 2010


RALPH RENNINGTON, JR., ESQ.
Impartial Hearing Officer

RPJ:jj

Hearing Officer's Findings of Fact and Decision

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Case No. 125343

PLEASE TAKE NOTICE

Within 35 days of the date of this decision, the parent and/or the New York City Department of Education has a right to appeal the decision to the State Review Officer of the New York State Education Department under Section 4404 of the Education Law and the Individuals with Disabilities Education Act.

"The notice of intention to seek review shall be served upon the school district not less than 10 days before service of a copy of the petition for review upon such school district, and within 25 days from the date of the decision sought to be reviewed. The petition for review shall be served upon the school district within 35 days from the date of the decision sought to be reviewed. If the decision has been served by mail upon petitioner, the date of mailing and the four days subsequent thereto shall be excluded in computing the 25- or 35-day period." (8NYCRR279.2[b]) Failure to file the notice of intention to seek review is a waiver of the right to appeal this decision.

Directions and sample forms for filing an appeal are included with this decision. Directions and forms can also be found in the Office of State Review website: www.sro.nysed.gov/appeals.htm.

Hearing Officer's Findings of Fact and Decision

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Case No. 125343

DOCUMENTATION ENTERED INTO RECORD

PARENT

- 1 Connor's Teacher's Rating Scale, 2003, 4 pp.
- 2 Social History, 2003, 3 pp.
- 3 Psycho-Educational Evaluation, 1/12/2004 and 2/04/2004, 3 pp.
- 4 Psycho-Educational Evaluation, 1/12/2004 and 2/04/2004, 2 pp.
- 5 Speech and Language Evaluation 2004, 4 pp.
- 6 Structured Classroom Observation Record, 004, 3 pp.
- 7 IEP, 2/25/2004, 13 pp.
- 8 IEP, 1/11/2005, 10 pp.
- 9 Speech and Language Progress Report, 3/01/2005, 1 p.
- 10 IEP, 3/10/2005, 18 pp.
- 11 Interim Service Plan, 2005, 2 pp.
- 12 IEP, 3/17/2006, 14 pp.
- 13 IEP, 3/17/2006, 14 pp.
- 14 IEP, 3/17/2007, 15 pp.
- 15 IEP, 3/20/2008, 13 pp.
- 16 IEP, 11/13/2008, 13 pp.
- 17 Social History, 2009, 4 pp.
- 18 Parent's Letter to Department, Undated, 1 p.
- 19 Teacher's Progress Report, 2009, 4 pp.
- 20 Functional Behavioral Assessment 2009, 7 pp.
- 21 Psycho-Educational Evaluation, 9/25/2009, 17 pp.
- 22 IEP, 10/02/2009, 12 pp.
- 23 Audiological Evaluation Results 3/30/2010, 1 p.
- 24 Speech Evaluation Summary 2010, 5 pp.
- 25 Speech Evaluation Full Report 2010, 13 pp.
- 26 Progress Reports, 2010, 4 pp.
- 27 Psychiatric Report, 5/27/2010, 27 pp.
- 28 Neuropsychological Evaluation Report, 4/26/2010, 10 pp.
- 29 Results of ENT, 08/18/2010, 1 p.

POST HEARING

- 30 IEP, 8/10/10, 14 pp.

Version: 02/05/2009

STUDENT NAME	IHO CASE NUMBER	PARENT/GUARDIAN NAME		
[REDACTED]	125343	[REDACTED]		
ORDER(S)	REQUESTED	COMPLETED	FINAL	AMENDED
SERVICE	YES	NO	Finalized and Locked by Ralph Pennington, Jr. on 12/29/2010 2:35:23 PM	Finalized and Locked by Ralph Pennington, Jr. on 12/29/2010 2:42:22 PM
REIMBURSEMENT	NO	N/A		
PAYMENT	YES		Finalized and Locked by Ralph Pennington, Jr. on 12/29/2010 2:35:23 PM	Finalized and Locked by Ralph Pennington, Jr. on 12/29/2010 2:42:23 PM

PAY ORDER

STUDENT NAME	IHO CASE NO.	PARENT/GUARDIAN NAME
[REDACTED]	125343	[REDACTED]

The New York City Department of Education (DOE) is directed to PAY

IT IS FURTHER DIRECTED THAT

Dept. to fund and/or provide the parent with an RSA for the additional services of 198 hours of speech therapy and 360 hours of private tutoring. Private tutoring to be at Board rate. Properly constituted CSE team to reconvene within 2-3 weeks and to consider all evaluations, consider deferral to CBST and proposed placement of SLCD, and devise an appropriate IEP.

Dated:1/4/11**So Ordered:**

Finalized and Locked by Ralph
Pennington, Jr. on 12/29/2010
2:35:23 PM

Ralph Pennington, Jr.
Impartial Hearing Officer Name

Ralph Pennington, Jr., Esq.
Impartial Hearing Officer Signature

4th Time Finalized and Locked by
Ralph Pennington, Jr. on 12/29/2010
2:42:23 PM

PROOF OF SERVICE PROVISION

- A** Contract between school/provider & record of service
 - a1 - Contract between parent and school/provider
 - a2 - Record of attendance/service
- B** Invoice for tuition/service on school/provider letterhead and record of attendance/service (If applicable)
 - b1 - Invoice for tuition/service on school/provider letterhead
 - b2** - Record of attendance/service
- C** School affidavit certifying cost and enrollment/service period
- D** Copy of independent evaluation report with date of service
- E** Daily transportation log identifying destination
- X** Other service document

NO DOE will reimburse parent upon submission of documents supporting the **provision of service**.

STUDENT NAME	IHO CASE NO	PARENT/GUARDIAN NAME
	125343	


SERVICE

4th Time Finalized and Locked by Ralph Pennington, Jr. on 12/29/2010 2:42:23 PM

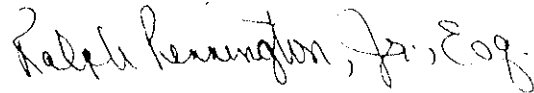
PAYMENT

2nd Time Finalized and Locked by Ralph Pennington, Jr. on 6/21/2010 3:17:41 PM

4th Time Finalized and Locked by Ralph Pennington, Jr. on 12/29/2010 2:42:23 PM

Dated:**So Ordered:**

Ralph Pennington, Jr.



Impartial Hearing Officer Name

Impartial Hearing Officer Signature

PLEASE TAKE NOTICE

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EXHIBIT C

Lincoln Square Legal Services, Inc.
33 West 60th Street
Third Floor
New York, N.Y. 10023-7485

Date: 11/05/2012

Regarding: [REDACTED] In Re [REDACTED]
Invoice No: 01014

Services Rendered

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Charges</u>
10/07/2009	STS1	Conference Talked with Michelle regarding case. Had a conversation with Josh regarding case.	1.50	\$150.00	No Charge
10/08/2009	STS1	Document Review - Review of IEP and researched unrecognized classification "mentally deficient"	3.75	\$150.00	No Charge
10/09/2009	STS1	Conference phone conference josh game plan	1.00	\$150.00	No Charge
10/09/2009	STS1	Document Review more of IEP review of Special education materials from class lecture, and review of parent guide to special education	4.00	\$150.00	\$600.00
10/09/2009	STS1	Review of IEP, review of special education procedures and regulations	1.00	\$150.00	\$150.00
10/13/2009	STS1	Meeting - Supervision Supervision meeting. Discuss meeting with client	2.00	\$150.00	No Charge
10/14/2009	STS1	Conference -Conference call between team members regarding client meeting	0.75	\$150.00	\$112.50
10/14/2009	STS1	Document Review - Review interview questions and statutes for client meeting	2.00	\$150.00	\$300.00
10/15/2009	STS1	Document Review -Review documents for meeting with client reprint business cards	1.00	\$150.00	No Charge
10/15/2009	STS1	Interview with client	1.50	\$150.00	\$225.00
10/15/2009	STS1	Meeting - In Office Meeting with team in	12.00	\$150.00	No Charge

Lincoln Square Legal Services, Inc.
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		office post interview for wrap up and discussion/ debrief			
10/16/2009	STS1	Document review and and research on special education generally, statutes and definitions	4.50	\$150.00	\$675.00
10/19/2009	STS1	Research	2.25	\$150.00	No Charge
10/20/2009	STS1	Meeting - Student Team	0.75	\$150.00	No Charge
10/21/2009	STS1	Meeting - Supervision	1.00	\$150.00	No Charge
10/21/2009	STS1	Meeting - Student Team	0.82	\$150.00	No Charge
10/22/2009	STS1	Research on topics for memo this week. mandatory school kick out of child etc.	3.50	\$150.00	No Charge
10/23/2009	STS1	Document Drafting memo for class	2.00	\$150.00	No Charge
10/23/2009	STS1	Conferences with Kasi/josh/ Prof. Hill to set up call to Mr. Torres. Ultimately call was not answered as Mr. Torres was unavailable. Team conferencing in between.	1.00	\$150.00	No Charge
10/26/2009	STS1	Meeting - In Office meeting via conference call with josh attempt to call Mr. Torres	0.50	\$150.00	No Charge
10/27/2009	STS1	Document Drafting Memo to file	7.25	\$150.00	No Charge
10/28/2009	STS1	Meeting - Supervision	1.25	\$150.00	No Charge
10/28/2009	STS1	Document Drafting - Draft Memo	2.00	\$150.00	No Charge
10/28/2009	STS1	Team meeting - Called Mr. Torres and school teacher of [REDACTED]	2.00	\$150.00	\$300.00
10/30/2009	STS1	Other Scan memos into TM.	1.00	\$150.00	No Charge
10/30/2009	STS1	Conference with Kasi regarding Client and attempt to call Client.	0.50	\$150.00	No Charge
10/30/2009	STS1	Special Education research	2.00	\$150.00	No Charge
11/03/2009	STS1	Call to client; call to school resend fax	2.00	\$150.00	\$300.00

Lincoln Square Legal Services, Inc.
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11/03/2009	STS1	Conference - Call with josh regarding case	1.08	\$150.00	No Charge
11/03/2009	STS1	Review all records, continue research, revise FAPE memo	3.50	\$150.00	\$525.00
11/04/2009	STS1	Meeting - Supervision	1.00	\$150.00	No Charge
11/05/2009	STS1	Meeting with school officials	2.00	\$150.00	\$300.00
11/05/2009	STS1	Conference - Meeting with professor Hill and Josh draft Chron note	1.00	\$150.00	No Charge
11/06/2009	STS1	Review of additional school records, continue drafting of memo, and research on independent evaluations	3.00	\$150.00	\$450.00
11/06/2009	STS1	Conference - Conference call with team to plan for meeting Monday	0.00	\$150.00	No Charge
11/06/2009	STS1	Draft of retainer agreement	1.00	\$150.00	\$150.00
11/09/2009	STS1	Preparation for client meeting	1.00	\$150.00	\$150.00
11/09/2009	STS1	Client Meeting in office	2.50	\$150.00	\$375.00
11/10/2009	STS1	Review of documents, review of 8NYCRR 200, draft of letter to CSE	4.00	\$150.00	\$600.00
11/11/2009	STS1	Meeting - Student Team	1.00	\$150.00	No Charge
11/12/2009	LAH	Meeting - Supervision with [REDACTED] team to discuss strategy	1.00	\$400.00	\$400.00
11/12/2009	STS1	Meeting - Supervision	1.00	\$150.00	No Charge
11/17/2009	STS1	Draft complaint, complete FAPE memos	5.00	\$150.00	\$750.00
11/18/2009	STS1	Draft of complaint	2.00	\$150.00	No Charge
11/18/2009	STS1	Meeting - Supervision	1.00	\$150.00	No Charge
11/19/2009	STS1	Further draft complaint	6.00	\$150.00	\$900.00
11/20/2009	STS1	Document Drafting	1.50	\$150.00	No Charge
11/20/2009	STS1	Sign complaint, and met with client to have her sign complaint	1.00	\$150.00	\$150.00

Lincoln Square Legal Services, Inc.
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11/23/2009	STS1	Conference with Josh / document review for case	1.50	\$150.00	No Charge
11/24/2009	STS1	Phone call to CSE, review of documents folder	1.00	\$150.00	\$150.00
11/24/2009	STS1	Draft memo	2.00	\$150.00	No Charge
12/01/2009	STS1	Calls to various offices, messages, update chron notes etc.	3.00	\$150.00	No Charge
12/03/2009	STS1	Call with B.W. CSN	0.33	\$150.00	\$49.50
12/03/2009	STS1	Call to CSN board, finish file papers	0.50	\$150.00	No Charge
12/07/2009	STS1	Conference with Professor Hill and Josh with call to client	1.50	\$150.00	\$225.00
12/08/2009	LAH	Meeting - In Office: Resolution Meeting	1.00	\$400.00	\$400.00
1/18/2010	AA9	Document Review Went over client's file.	4.50	\$150.00	No Charge
1/19/2010	AA9	Case review and Analysis - Looked through case notes and documents to review and gain familiarity with claims at issue in the [REDACTED] matter.	3.00	\$150.00	\$450.00
1/19/2010	AA9	Meeting - Student Team Met with Rachel and Kasi to introduce ourselves, exchange numbers and briefly discuss the case.	1.00	\$150.00	No Charge
1/19/2010	RWU	Document Review	3.50	\$150.00	No Charge
1/20/2010	AA9	Document Review Went over the Client's Claims (the Final Draft) and the status memo.	0.75	\$150.00	No Charge
1/20/2010	AA9	Meeting - Supervision Met with team and Professor Hill to discuss goals and a plans in the near future regarding client.	0.50	\$150.00	No Charge
1/20/2010	RWU	Document review and legal research concerning impartial hearings	3.17	\$150.00	\$475.50
1/20/2010	RWU	Meeting - Supervision	2.42	\$150.00	No Charge

Lincoln Square Legal Services, Inc.
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1/24/2010	AA9	Document Review Continued to look over documents.	1.00	\$150.00	No Charge
1/24/2010	AA9	Document Review Continued to get more familiarized with case.	1.50	\$150.00	No Charge
1/25/2010	AA9	Other Discuss with Rachel how we want to proceed with the hearing. Wrote an e-mail with her to Donna of Black Pennington Law about adjourning the hearing. Started research on Mediation.	2.00	\$150.00	\$300.00
1/25/2010	AA9	Research on Mediation. Began writing a Mediation memo.	0.75	\$150.00	\$112.50
1/25/2010	AA9	Meeting - Supervision Met with Family Advocacy Clinic for Weekly Supervisory Meeting.	1.25	\$150.00	No Charge
1/25/2010	AA9	Met with team to discuss plan for representing client. Contacted Ms. [REDACTED] to set up a client meeting.	0.50	\$150.00	\$75.00
1/25/2010	RWU	Research into the client's Due Process rights and memo on rights. Called client about additional availabilities for a hearing date.	5.00	\$150.00	\$750.00
1/25/2010	RWU	Meeting - In Office	2.00	\$150.00	No Charge
1/26/2010	AA9	Other Worked on filling out mediation form with Rachel. Want to discuss form with [REDACTED] at client meeting tomorrow and make sure that we receive her consent. Contacted Bob Woods. Started to prepare agenda for Client Meeting tomorrow.	2.25	\$150.00	No Charge
1/26/2010	AA9	Team meeting to prepare for Client Meeting. was very helpful.	1.00	\$150.00	\$150.00
1/26/2010	AA9	Other Finished prep questions for Client Meeting 01.27.09.	0.50	\$150.00	\$75.00
1/26/2010	RWU	Contacted [REDACTED] case manager and Bob Woods today. Drafted a request for mediation. We also made the agenda for the client meeting with [REDACTED]	3.50	\$150.00	\$525.00

Lincoln Square Legal Services, Inc.
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1/27/2010	AA9	Telephone conference with Bill Woods (DOE representative) to work out a partial agreement.	0.80	\$150.00	\$120.00
1/27/2010	AA9	Meeting in Office - Client meeting with [REDACTED]	1.50	\$150.00	\$225.00
1/27/2010	RWU	Phone Call to B. Woods and wrote a summary of the meeting with [REDACTED]	2.72	\$150.00	No Charge
1/27/2010	RWU	Meeting - In Office	1.50	\$150.00	No Charge
1/28/2010	AA9	Other Read over/edited/added to Rachel's draft of client meeting. Found Resolution agreement in TM (was in file bin but was never added to TM). Uploaded to TM.	1.00	\$150.00	No Charge
1/31/2010	AA9	Other Wrote Supervisory Meeting Agenda for 02.01.10.	0.75	\$150.00	No Charge
2/01/2010	AA9	Conference with team dissect the claims of the case and to initialize research for supporting documents, law and witnesses	0.50	\$150.00	\$75.00
2/01/2010	AA9	Other Prepared summary of supervisory meeting.	1.00	\$150.00	No Charge
2/01/2010	AA9	Meeting - Student Team Met to discuss our agenda.	0.50	\$150.00	No Charge
2/02/2010	AA9	Meeting - Supervision Met to discuss agenda and goals for the week.	1.00	\$150.00	No Charge
2/02/2010	AA9	Legal Research of claims for supporting documents, case law, and potential expert witnesses	1.50	\$150.00	\$225.00
2/03/2010	AA9	Contacted Bill Woods about the Independent Evaluations and how they are paid for. We also discussed implementing a plan after each evaluation is done	0.50	\$150.00	\$75.00
2/03/2010	AA9	Other The team discussed how to proceed with Professor Hill.	0.50	\$150.00	No Charge

Lincoln Square Legal Services, Inc.
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2/03/2010	AA9	Legal research regarding NY regulations and client's son, [REDACTED] classifications	2.50	\$150.00	\$375.00
2/03/2010	AA9	Meeting - Student Team Met with Kasi because we couldn't meet with her on Monday. We discussed her updates and concerns. She told us she wanted to know how the evaluations are paid for. She told us she was trying to get in contact with Michelle Crichelow. We discussed with her what was going on with the partial agreement.	0.50	\$150.00	No Charge
2/03/2010	RWU	Research - Dissected the claims, called Bob Woods, discussed call with Professor Hill, team meeting, called [REDACTED] school, went through hardcopy records	5.25	\$150.00	No Charge
2/03/2010	RWU	Research - Dissected claims, team meeting, called Bob Woods, met with Professor Hill to discuss phone call, called [REDACTED] school, went through hardcopy records	5.17	\$150.00	No Charge
2/05/2010	AA9	Phone calls to obtain [REDACTED] Fall 2007 IEP	0.50	\$150.00	\$75.00
2/07/2010	AA9	Dissection of claims	0.50	\$150.00	\$75.00
2/07/2010	RWU	Meeting - Supervision - Prepared Agenda for the week.	1.08	\$150.00	No Charge
2/07/2010	RWU	Document Review dissecting claims	0.00	\$150.00	\$0.00
2/08/2010	AA9	Researched payment for Independent evaluations.	1.00	\$150.00	No Charge
2/08/2010	AA9	Further dissection of claims	1.25	\$150.00	\$187.50
2/08/2010	AA9	Meeting - Student Team, Met with team to discuss goals and report on issues we divided. We also discussed what we plan to talk about on Wednesday, i.e. types of outcomes to expect from the evaluations and how we plan to proceed from there. We also discussed compiling our documents for the claims.	1.00	\$150.00	\$150.00
2/08/2010	AA9	Meeting - Supervision	2.37	\$150.00	No Charge

 Lincoln Square Legal Services, Inc.
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2/08/2010	RWU	Meeting - Student Team	1.08	\$150.00	No Charge
2/08/2010	RWU	Meeting - Supervision - Supervisory Meeting and team meeting afterwards	2.37	\$150.00	No Charge
2/10/2010	AA9	Document Review Reviewed Kasi's recently uploaded TM documents (on ADHD). Worked on provided support for claims.	1.63	\$150.00	No Charge
2/10/2010	AA9	Research regarding support for claims in complaint.	1.50	\$150.00	\$225.00
2/10/2010	AA9	Research of the IEP process using the Standard Operating Procedure provided by the DOE	1.50	\$150.00	\$225.00
2/10/2010	AA9	Meeting - Student Team Snow Day: Had a three way conference call with Rachel and Kasi. We discussed projects we were working on and plans for the week.	0.58	\$150.00	No Charge
2/10/2010	AA9	Research on the costs of Independent Evaluations	1.72	\$150.00	\$258.00
2/10/2010	RWU	Document Review, Claim Dissection	2.92	\$150.00	No Charge
2/12/2010	AA9	Document Drafting; Discussed with Professors cost of Independent Evaluators as well as terms of Partial Agreement; contacted Bill Woods about the agreement and our terms. Drafted Partial Agreement and sent to bill woods.	2.85	\$150.00	No Charge
2/12/2010	AA9	Wrote Memo on Independent Evaluators, billing procedures, forms that circulate between the parent, DOE, and independent provider and more.	3.08	\$150.00	\$462.00
2/15/2010	AA9	Meeting - Student Team; Met with team to discuss possible diagnoses for [REDACTED] (used the small DSM book) as well as ways to respond to these diagnoses. Discussed the Independent Evaluation sites with Kasi as well as our plans for the week.	1.70	\$150.00	\$255.00

Lincoln Square Legal Services, Inc.
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2/15/2010	AA9	Other Worked on claim dissection (peer reviewed Rachel's claims).	0.67	\$150.00	No Charge
2/15/2010	AA9	Other Reviewed/Editing Rachel's dissection of claims. Also reviewed Kasi's document about Independent Evaluations.	2.25	\$150.00	No Charge
2/15/2010	RWU	Other: Wrote up Supervisory Meeting Summary for 2/8/20010	0.75	\$150.00	No Charge
2/15/2010	RWU	Meeting - Student Team, Met with team to discuss possible diagnoses for [REDACTED]	1.75	\$150.00	No Charge
2/16/2010	AA9	Claim dissection	3.12	\$150.00	\$468.00
2/16/2010	AA9	Other Reviewed Kasi's agenda/added to agenda.	0.25	\$150.00	No Charge
2/16/2010	RWU	Document Review: Reviewed Alex's claim dissection	2.58	\$150.00	No Charge
2/17/2010	AA9	Research Conducted research on time constraints for independent evaluations.	1.00	\$150.00	No Charge
2/17/2010	AA9	Meeting - Supervision Met with entire Family Ad Clinic team to discuss cases.	1.00	\$150.00	No Charge
2/17/2010	AA9	Other Went over Kasi's notes from our supervision meeting.	0.08	\$150.00	No Charge
2/17/2010	RWU	Meeting - Supervision	2.00	\$150.00	No Charge
2/18/2010	RWU	Document Review: looking Alex's and my own claim dissections.	3.25	\$150.00	No Charge
2/19/2010	AA9	Research Researched time constraints for independent evaluations.	2.00	\$150.00	No Charge
2/20/2010	RWU	Other: made changes to agenda	0.53	\$150.00	No Charge
2/21/2010	AA9	Other Drafted supervision agenda for the week.	1.00	\$150.00	No Charge
2/21/2010	AA9	---	1.00	\$150.00	No Charge

 Lincoln Square Legal Services, Inc.
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2/22/2010	AA9	Meeting - Supervision	0.75	\$150.00	No Charge
2/22/2010	AA9	Telephone Call	0.17	\$150.00	No Charge
2/22/2010	AA9	Meeting - Student Team Met with team to discuss agenda for the week.	0.50	\$150.00	No Charge
2/22/2010	RWU	Meeting - Student Team, met with team to discuss weekly agenda, goals, and summary	0.37	\$150.00	No Charge
2/22/2010	RWU	Other: Prepared for Supervisory meeting by talking to other team members	0.50	\$150.00	No Charge
2/22/2010	RWU	Other: Called Bob Woods twice, looked over Alex and my own claim dissection documents	2.25	\$150.00	No Charge
2/22/2010	RWU	Meeting - Student Team, Met with Team to talk about possible diagnoses for [REDACTED]	1.75	\$150.00	No Charge
2/22/2010	RWU	Meeting - Supervision: Weekly Supervisory Meeting	0.75	\$150.00	No Charge
2/23/2010	AA9	Received, reviewed and noted changes/amendments within the new partial resolution agreement provided by Mr. Woods via e-mail	0.67	\$150.00	\$100.50
2/23/2010	AA9	Conference with team and supervising attorney Leah Hill to discuss changes proposed in the new partial agreement from Mr. Woods and to draft a new partial agreement in response	1.00	\$150.00	\$150.00
2/23/2010	RWU	Correspondence: called bob woods, talked to professors	1.00	\$150.00	No Charge
2/24/2010	AA9	Client Interview	2.25	\$150.00	\$337.50
2/24/2010	LAH	Meeting - In Office: Meeting with students to discuss strategies for client meeting	0.17	\$400.00	\$68.00
2/24/2010	RWU	Meeting - In Office: Met with Professor Hill to talk about client meeting	0.17	\$150.00	No Charge

Lincoln Square Legal Services, Inc.
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<u>2/24/2010</u>	RWU	Meeting - Outside of Office: Met with client [REDACTED] at her residence to review and discuss the partial agreement and obtain her signature.	1.42	\$150.00	\$213.00
2/24/2010	RWU	Other: Wrote up Client Meeting Summary. See Chron Notes.	0.42	\$150.00	No Charge
2/25/2010	AA9	Other Type up post-supervision notes for 02.22.10. Sent to team for review and awaiting to hear back from them. Will then send to professors.	1.00	\$150.00	No Charge
2/26/2010	AA9	Worked on claims dissection.	0.50	\$150.00	No Charge
2/26/2010	AA9	Other Went over agenda for March 1.	0.50	\$150.00	No Charge
2/26/2010	RWU	Meeting - Supervision: Wrote up Agenda for the week of 3/1/10	1.25	\$150.00	No Charge
2/27/2010	RWU	Correspondence: Talked to Housing Clinic intern about [REDACTED] housing issue and emailed team members with updates about the housing issue.	1.25	\$150.00	No Charge
3/01/2010	AA9	Other Reviewed Kasi's report.	0.58	\$150.00	No Charge
3/01/2010	AA9	Other Worked on claim dissection.	0.42	\$150.00	No Charge
3/01/2010	AA9	Other Researched case law. Shepardized Rowley and checked similar cases.	0.50	\$150.00	No Charge
3/01/2010	AA9	Meeting - Supervision	1.33	\$150.00	No Charge
3/01/2010	AA9	Legal research of case law, including the case of Rowley	0.50	\$150.00	\$75.00
3/01/2010	AA9	Telephone Call to B. W. regarding obtaining authorizations so independent evaluations can proceed. He will send forms to us.	0.25	\$150.00	No Charge
3/01/2010	AA9	Claim dissection.	1.33	\$150.00	No Charge
3/01/2010	RWU	Meeting - Supervision: met with whole clinic to hear updates about each others' cases, team meeting afterwards to talk about how to proceed, and called Bob Woods to check on status of the	2.27	\$150.00	No Charge

authorization forms.

3/01/2010	RWU	Document Editing: revised and edited last week's supervisory meeting summary that Alex wrote up	0.75	\$150.00	No Charge
3/03/2010	AA9	Document Drafting/Phone Call: Contacted DOE and spoke to Victor Sawyer about missing 2007 IEP. He called me back and said they had various documents. Found old copy of release consent form signed by Mrs. [REDACTED] originally sent to MS 247. I wrote a cover letter for this form asking the Department of Education to release all IEPs and evaluations. Faxed this form to the DOE. Looked over Rachel's consent agreement for IEE's and edited.	3.00	\$150.00	\$450.00
3/03/2010	RWU	Document Drafting: Wrote up the release form for providers and typed up the supervisory meeting summaries.	2.17	\$150.00	No Charge
3/04/2010	AA9	Other Wrote Supervision Agenda for 03.08.10	1.17	\$150.00	No Charge
3/04/2010	AA9	Telephone Call Called V. Sawyer to see if the DOE received fax. He said they did and they would have the papers by the end of the day.	0.17	\$150.00	\$25.50
3/05/2010	AA9	Conducted analysis of [REDACTED] IEPs	0.50	\$150.00	\$75.00
3/05/2010	AA9	Research Went over research Prof. Hill gave us. Look over edits of agenda by team. made a few more changes and posted.	0.67	\$150.00	No Charge
3/05/2010	RWU	Document Review: Amended claim dissection, reviewed weekly supervisory agenda, emailed Bob Woods about getting an e-copy of the authorization forms.	3.32	\$150.00	No Charge
3/07/2010	AA9	Other Began formulating questions I had about the IEP	1.23	\$150.00	No Charge
3/08/2010	AA9	Document Review After phone call from evaluation place, reviewed evaluation reports.	3.50	\$150.00	\$525.00

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3/08/2010	AA9	Meeting - Student Team Met with Kasi to discuss what we need to work on for the week.	1.00	\$150.00	No Charge
3/08/2010	AA9	Meeting - Supervision Met with FAC to discuss case.	1.00	\$150.00	No Charge
3/08/2010	AA9	Received Assessment Authorization forms from Woods. Contacted independent providers about AA's.	2.50	\$150.00	\$375.00
3/09/2010	AA9	Telephone Conference Called various providers to follow up with the faxes sent on Monday.	0.25	\$150.00	\$37.50
3/10/2010	AA9	Reviewed the new IEP's and evaluations sent by the DOE	1.25	\$150.00	\$187.50
3/10/2010	AA9	Telephone Call Called [REDACTED] to see her availability for the week. Discussed with team our plans for dividing up work for the break. Contacted the IEE's. Set up an appointment for [REDACTED] for the Medical Evaluation.	1.00	\$150.00	\$150.00
3/10/2010	RWU	Correspondence: Gave teammates updates during spring break and getting updates from them	1.08	\$150.00	No Charge
3/10/2010	RWU	Telephone Call: Conference call to client [REDACTED] to discuss case status and upcoming developments	0.30	\$150.00	\$45.00
3/10/2010	RWU	Document Review: Reviewed [REDACTED] 2007 IEP	0.25	\$150.00	No Charge
3/10/2010	RWU	Document Review: Organized the new documents we got with Alex and reviewed the 2008 IEPs	1.67	\$150.00	No Charge
3/10/2010	RWU	Document Review: Continued reviewing the 2008 IEP	0.40	\$150.00	No Charge
3/12/2010	AA9	Other Contacted one of the independent providers for the status of AA2 forms we sent her on Monday. This specific place is providing 3 evaluations and she had the info for 2	1.75	\$150.00	No Charge

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(psych/neuropsych), so I asked her to just send those over for now. She said the audiological would be here soon. Continued to work on Cruz's timeline. Also, met with Kasi for roughly 30 mins to relay my information about what appointments I had made etc. and then she updated me about her conversation with Michelle and other things we would want to look into for the case.

3/12/2010	AA9	Telephone Call Received call from Ms. Nancy Geller from the Center for Hearing and Communication. Set up an appointment for 1:00 on Monday, March 29, 2010.	0.12	\$150.00	\$18.00
3/12/2010	RWU	Document Review: Read over the new IEPs that the DOE sent us during the week.	2.17	\$150.00	No Charge
3/17/2010	AA9	Telephone Call Contacted Citicare office regarding the AA-2 Forms. Spoke with Dr. Darku.	0.17	\$150.00	\$25.50
3/17/2010	RWU	Correspondence: Talked Housing Interns about [REDACTED] Housing Issue	0.67	\$150.00	No Charge
3/18/2010	AA9	Other Re-faxed AA-2s to Dr. Darku. Wrote up team agenda for 03.22.10.	1.25	\$150.00	No Charge
3/19/2010	RWU	Document Drafting: Wrote up Supervisory Agenda	1.25	\$150.00	No Charge
3/22/2010	AA9	Claim Dissection	1.00	\$150.00	\$150.00
3/22/2010	AA9	Meeting - Student Team Met with team to discuss plans for the week. Get AA-2s. We contacted [REDACTED] to meet with her for signatures.	0.67	\$150.00	No Charge
3/22/2010	AA9	Telephone Call	0.67	\$150.00	No Charge
3/22/2010	AA9	Client Interview Visited client's apartment to obtain signature on 2 of the AA-2 forms (these were the only 2 completed). We also received additional papers she had (including a report card). We also met with [REDACTED]	2.00	\$150.00	\$300.00

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asked him about school and explained to him who we were and that he would be going to evaluations soon.

3/22/2010	AA9	Correspondence E-mailed Mr. Woods with completed AA-2 forms.	0.25	\$150.00	\$37.50
3/22/2010	AA9	Further reviewed the new IEP's and other evaluations by the DOE in order to add to claim dissection	2.25	\$150.00	\$337.50
3/22/2010	AA9	Other Contacted IEE's about forms. Worked on claim dissection.	1.00	\$150.00	No Charge
3/22/2010	AA9	Meeting - Supervision Met with FAC to talk about cases.	1.33	\$150.00	No Charge
3/22/2010	RWU	Document Drafting: Wrote up client meeting summary, looked at claim dissection.	2.00	\$150.00	No Charge
3/22/2010	RWU	Meeting - Supervision: Supervisory Meeting, followed by team meeting and phone calls to providers	2.00	\$150.00	No Charge
3/22/2010	RWU	Correspondence: called [REDACTED] to ask her if we could go to her apt today to have her sign forms, get the AA-2 forms from providers, preparing AA-2 forms, updated our claim dissection	1.00	\$150.00	\$150.00
3/22/2010	RWU	Meeting - Outside of Office: Went to visit [REDACTED] at her apartment	1.58	\$150.00	No Charge
3/23/2010	AA9	Finished claim dissection	1.00	\$150.00	\$150.00
3/23/2010	AA9	Other Spoke with Prof. Hill about claims. Contacted Bill Woods and received confirmation about the 2 providers. Tried contacting other providers as well -- looked on DOE website for list of people. Contacted [REDACTED] for name of [REDACTED] pediatrician.	2.00	\$150.00	No Charge
3/23/2010	RWU	Other: Looked up more providers for IEEs, called providers to get AA-2 forms, met with Professor Hill, called potential provider, faxed over blank form to potential provider, organized received	2.37	\$150.00	No Charge

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AA-2 forms.

3/24/2010	AA9	Meeting - Outside of Office Contacted providers regarding AA-2 forms. Found alternate providers from the original ones we had and we reached out to them. Prepared a schedule of appointments for [REDACTED] Visited [REDACTED] to get signatures for the 3 AA-2s. Also, gave her the schedule of appointments. E-mailed Mr. Woods with the new AA-2s for approval.	3.25	\$150.00	No Charge
3/24/2010	RWU	Other: Called Dr. Darku to get completed AA-2 form, followed up with Comprehensive Center for audiological evaluation, called another audiological center, emailed AA-2 form to that center, got the completed AA-2 forms back from second center, called Bill Woods, set up appointments for Enrique, went to [REDACTED] apt to get her signature, called medical evaluator to get necessary information to complete AA-2 forms, emailed Bill Woods the completed forms.	3.75	\$150.00	No Charge
3/25/2010	AA9	Other Talked (e-mailed) with Kasi about changing the audiological appointments. Received approved AA-2 forms from Mr. Woods, e-mailed him back regarding the fact that the first set of forms he sent us were not marked approved or not. He re-sent them.	0.50	\$150.00	\$75.00
3/25/2010	RWU	Correspondence: Talked to teammates about next week's agenda, appointments for [REDACTED] and rescheduling some appointments.	0.75	\$150.00	No Charge
3/26/2010	AA9	Telephone Call Received call from [REDACTED] from Comprehensive about Psych eval. Talked with Rachel about preparing package for Elain Geller, Audiological/Speech Language evaluation	0.50	\$150.00	\$75.00
3/26/2010	RWU	Correspondence: Talked to the speech evaluator and contacted teammates about putting together a background	0.95	\$150.00	No Charge

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Date	Code	Description	Hours	Rate	Charge
		information packet for [REDACTED]			
3/27/2010	AA9	Meeting - Student Team Talked with Rachel about Psychiatric evaluation and what should go in evaluator packet for Nancy Geller, Audiological/Speech Language Evaluation	0.50	\$150.00	No Charge
3/27/2010	RWU	Correspondence: Called other psychiatric evaluators to get appointments for [REDACTED]	0.58	\$150.00	No Charge
3/28/2010	RWU	Correspondence: Emailed speech evaluator packet of [REDACTED] background information and wrote up the supervisory meeting summary and goals for last week.	1.50	\$150.00	No Charge
3/29/2010	AA9	Meeting - Outside of Office Prepared papers for Nancy Geller speech evaluator.	0.50	\$150.00	No Charge
3/29/2010	AA9	Meeting - Outside of Office Went to speech evaluation downtown. Nancy Geller performed evaluation while we observed and then she gave us feedback.	5.00	\$150.00	No Charge
3/29/2010	RWU	Correspondence: Followed up with psychiatric evaluators to get an appointment for [REDACTED], drafted release forms for evaluators, faxed over an AA-2 form for one of the evaluators, looked into getting transportation reimbursement for [REDACTED]	3.42	\$150.00	No Charge
3/30/2010	AA9	Telephone Call Contacted NYU Child Study Center to provide case background and request psychiatric evaluation	0.25	\$150.00	\$37.50
3/30/2010	RWU	Correspondence: Called Psych. evaluator to get AA-2 form's and her license, scanned in documents and uploaded to TM	0.43	\$150.00	No Charge
3/30/2010	RWU	Event: Went with [REDACTED] to [REDACTED] audiological evaluation and scanned in release form and audiological eval results.	2.02	\$150.00	No Charge

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3/31/2010	AA9	Meeting - Supervision Met with team and Prof Hill to discuss the case.	1.00	\$150.00	No Charge
3/31/2010	AA9	Other Prepared fax for Dr. Darku regarding information that may assist him in the medical eval.	1.00	\$150.00	\$150.00
3/31/2010	AA9	Meeting - Student Team Met with Team to figure how we wanted to divide up the work for the month of April. Discussed the evaluations and how we wanted to proceed.	1.00	\$150.00	No Charge
3/31/2010	RWU	Meeting - Supervision: Met with Professor Hill for supervisory meeting, called Dr. Darku's office to tell him about [REDACTED] ear condition, had a team meeting to talk about future steps, called and followed up with Maria and sent her a blank psych AA-2 form, set up a neuropsych eval.	3.42	\$150.00	No Charge
4/01/2010	RWU	Correspondence: met with professor, called audiologist, faxed over AA-2 form for auditory processing eval to audiologist	1.17	\$150.00	No Charge
4/02/2010	AA9	Other Contacted Citicare regarding medical appointment for [REDACTED] Wrote up week's agenda as well as schedule for the team for the remainder of the semester.	1.50	\$150.00	No Charge
4/02/2010	RWU	Correspondence: called [REDACTED] to remind her about [REDACTED] med eval, found that the doctor was late and [REDACTED] was getting impatient, doctor's office requested approved AA-2 forms, which I emailed over, eventually told [REDACTED] to leave, because she couldn't wait around anymore, she told me that she had scheduled an appointment with [REDACTED] pediatrician, told her that we would send him the AA-2 forms to get the DOE to pay for the medical examination, called Alex to give her updates and discussed what to do next.	1.08	\$150.00	No Charge
4/07/2010	AA9	Meeting - Supervision	2.00	\$150.00	No Charge

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4/07/2010	RWU	Meeting - Supervision: Met with team to talk about this week's agenda and plans and worked on opening statement. had supervisory meeting, called [REDACTED] to see if she had set up a medical evaluation for [REDACTED] called medical clinic to see what time the appointment was, called [REDACTED] to tell her about the app't time and remind her that [REDACTED] had a neuropsych eval at 330 on Friday, contacted audiologist, emailed over AA-2 and AA-8 forms for audiologist to complete.	3.75	\$150.00	No Charge
4/09/2010	AA9	Revised claims dissection with appropriate statutory case law.	8.00	\$150.00	No Charge
4/09/2010	RWU	Document Editing: Edited claim dissection and sent to team	7.42	\$150.00	No Charge
4/11/2010	AA9	Hearing Preparation - Draft and edited the opening statement	3.00	\$150.00	\$450.00
4/11/2010	RWU	Document Drafting: worked on opening statement with Alex.	2.58	\$150.00	No Charge
4/12/2010	AA9	Document Editing Edited first draft of Opening Statement	1.00	\$150.00	No Charge
4/12/2010	AA9	Other Wrote summary for 04.07.10 Supervision Meeting.	1.00	\$150.00	No Charge
4/12/2010	AA9	Meeting - Student Team Met with team to discuss plans for the week.	0.50	\$150.00	No Charge
4/12/2010	AA9	Meeting - Supervision FAC Group Supervision	2.00	\$150.00	No Charge
4/12/2010	AA9	Meeting - Supervision Met with FAC, read opening statement and listened to feedback.	1.75	\$150.00	No Charge
4/12/2010	RWU	Meeting - Supervision: revised opening statement with Alex, had a team meeting, supervisory meeting with FAC, wrote up supervisory meeting 's summary and goals.	4.08	\$150.00	No Charge
4/13/2010	AA9	Hearing Preparation - Conference with	2.48	\$150.00	\$372.00

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		team to review and perfect opening statement			
4/13/2010	AA9	Hearing Preparation - Prepared second draft of opening statement	0.50	\$150.00	\$75.00
4/13/2010	RWU	Document Drafting: Phone Conversation with Kasi and Alex, working on opening statement.	2.25	\$150.00	No Charge
4/14/2010	AA9	Edited second draft of opening statement.	0.50	\$150.00	No Charge
4/14/2010	AA9	Hearing Preparation - Drafted claims chart for hearing	1.25	\$150.00	\$187.50
4/14/2010	RWU	Other: did some research into the development of an adequate IEP, spoke to teammates about revising the opening statement, talked about the validity of the claim of failure to implement IEP, talked about what documents we should submit.	2.22	\$150.00	No Charge
4/16/2010	RWU	Meeting - Outside of Office: I emailed some forms to the auditory evaluator b/c she filled them wrong, spoke to Kasi about the agenda for next week and what forms [REDACTED] needed to fill out for the psych eval, went to the neuropsych eval center, spoke to receptionist and doctor, and rescheduled tentatively for next Friday, emailed team and professor, summarizing today's events.	2.17	\$150.00	No Charge
4/18/2010	AA9	Hearing Preparation - Draft questions for witness and client [REDACTED]	0.50	\$150.00	\$75.00
4/19/2010	AA9	Prepared exhibits to send to the CSE for hearing.	4.00	\$150.00	\$600.00
4/19/2010	AA9	Telephone Call - Contacted Nancy Geller about results of Speech evaluation. She said she would try to have them by the weekend. Also, e-mailed her the complete AA-2 forms.	0.25	\$150.00	\$37.50
4/19/2010	AA9	Meeting - Student Team	0.50	\$150.00	No Charge

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4/19/2010	AA9	Meeting - Supervision	2.33	\$150.00	No Charge
4/19/2010	AA9	Telephone Call Contacted [REDACTED] about coming into the office.	0.25	\$150.00	\$37.50
4/19/2010	RWU	Other: Team Meeting, Supervisory Meeting, Individual Meeting with Professor Hill, Called [REDACTED] Called Nancy Geller, Team Meeting to discuss next steps, complied supporting documents with Alex to send to DOE	6.67	\$150.00	No Charge
4/20/2010	AA9	Client Interview Prepared agenda for client interview.	1.00	\$150.00	No Charge
4/21/2010	AA9	Meeting - In Office: meeting with client [REDACTED] to review goals and prepare for client's testimony at hearing	2.00	\$150.00	\$300.00
4/21/2010	AA9	Conference with team and supervising attorney Leah Hill to review strategy for client interview and agenda	0.50	\$150.00	\$75.00
4/21/2010	RWU	Meeting - In Office: After revising client meeting agenda, met with [REDACTED] in office to discuss hearing and prepare her for direct and cross examination	2.67	\$150.00	\$400.50
4/22/2010	AA9	Mailed a hard copy of documents to Bill Woods. Added speech evaluation summary. E-mailed a version of documents to Bill Woods.	1.75	\$150.00	\$262.50
4/22/2010	RWU	Telephone Call: Calling Spoke to Nancy Geller, Speech and Language Evaluator regarding her findings; Contacted Ms. Caldwell, school principle, to clarify service [REDACTED] is currently receiving. She confirmed counseling 2 times a week at school but no speech and language services at school	0.42	\$150.00	\$63.00
4/23/2010	AA9	Received a phone call and e-mail from Woods requesting an adjournment. Spoke to Prof. Hill about this. Called Mr. Woods back and talked to [REDACTED] about Private Schooling.	5.00	\$150.00	\$750.00
4/23/2010	LAH	Meeting - In Office: Meeting with	1.00	\$400.00	\$400.00

		students to discuss hearing strategies			
4/23/2010	RWU	Other: Worked on opening statement, met with Professor Hill, contacted [REDACTED] school, Called Bill Woods, called [REDACTED] called neuropsych evaluator, wrote up part of the supervisory agenda,	5.42	\$150.00	No Charge
4/24/2010	AA9	Reviewed all documents and began compiling report/summary of all the documents from the DOE, including results of independent evaluations and more.	3.00	\$150.00	\$450.00
4/25/2010	AA9	Trial Prep - Continued to go through documents and compile analysis	3.00	\$150.00	\$450.00
4/25/2010	AA9	Document Editing Edited the Opening statement.	1.00	\$150.00	No Charge
4/26/2010	AA9	Psychological Assessment Ordered car service for [REDACTED] to the Neuropsych. Contacted [REDACTED] to make sure [REDACTED] and Pedro new the car was coming. Went to Dr. Hafeez's office. Answered a few questions about why [REDACTED] was there. The actually appointment lasted approximately 2 hours.	3.50	\$150.00	No Charge
4/26/2010	AA9	Meeting - Student Team Discussed how to proceed for the remainder of the semester. discussed getting in contact with independent providers for the remaining evaluations.	1.00	\$150.00	No Charge
4/26/2010	AA9	Meeting - Supervision Met with FAC.	1.50	\$150.00	No Charge
4/26/2010	RWU	Meeting - Student Team: Called Alex to discuss whether we should adjourn the case or not.	0.67	\$150.00	No Charge
4/26/2010	RWU	Meeting - In Office: After revising client meeting agenda, met with client [REDACTED] to discuss hearing and prepare her for direct and cross examination.	2.67	\$150.00	\$400.50
4/27/2010	RWU	Meeting - In Office: Met with Professor Hill to discuss adjournment.	0.58	\$150.00	No Charge

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4/28/2010	LAH	Meeting - In Office: Meeting with students to discuss hearing strategies	1.00	\$400.00	\$400.00
4/28/2010	RWU	Other: talked with team about how to proceed next, complied and organized files for next semester	3.17	\$150.00	No Charge
4/29/2010	AA9	Called Impartial Hearing Officer Ralph Pennington to make sure the hearing was adjourned. Wrote an e-mail to Laura Byrd from the Impartial Hearing Office and e-mailed Donna Coleman to set up a time for the new hearing date	0.33	\$150.00	\$49.50
4/30/2010	AA9	Document Drafting Worked on End of Semester Memo.	2.00	\$150.00	No Charge
4/30/2010	RWU	Correspondence: Called IHO and Alex about the adjournment	1.00	\$150.00	No Charge
5/03/2010	AA9	Document Drafting Worked on Memo and printing out chron notes and organizing files.	5.00	\$150.00	No Charge
5/03/2010	RWU	Document Drafting: Writing and correcting status memo and assembling files.	3.33	\$150.00	No Charge
5/04/2010	RWU	Document Drafting: tuning up memo on theory of the case and send it to teammates	2.33	\$150.00	No Charge
5/12/2010	RWU	Other: Met with Professor Hill, talked to Alex to see if there were any updates, made sure file was in order, called ENT to confirm appointment, called [REDACTED] wrote [REDACTED] a letter.	1.58	\$150.00	No Charge
5/12/2010	RWU	Document Drafting: wrote a memo on client interview on April 21, 2010	2.08	\$150.00	No Charge
5/13/2010	RWU	Telephone Call: Called Michelle Crichlow to get Ms. C's new phone number and she gave me updates about the family, called [REDACTED] to get updates and gives updates, and Kasi to get updates and give updates.	0.70	\$150.00	No Charge
5/14/2010	AA9	Other Worked on Status Memo	2.00	\$150.00	No Charge

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		Created a road map and added other necessary corrections.			
5/14/2010	RWU	Document Drafting: Amended status memo and wrote a memo on private schooling.	5.00	\$150.00	\$750.00
5/15/2010	AA9	Other Worked on Status Memo.	1.50	\$150.00	No Charge
5/19/2010	AA9	Other Worked on writing up documents inventory	1.00	\$150.00	No Charge
5/20/2010	AA9	Meeting - Supervision Met with Professor Hill to discuss team's plans to proceed with the case/wrap up	1.00	\$150.00	No Charge
5/20/2010	AA9	Correspondence Received fax from Aida. Spoke with Aida about some questions on the form. Completed document inventory. Confirmed psych appointment with NYU. Faxed over NYU papers. Spoke to [REDACTED] about her appointment for Monday. I also asked her [REDACTED] availability for next week.	3.50	\$150.00	No Charge
5/20/2010	AA9	Other Worked on Documents Inventory	2.50	\$150.00	No Charge
5/20/2010	RWU	Other: Looked through time matters to make sure all documents can be opened and uploaded missing documents.	0.58	\$150.00	No Charge
5/25/2010	AA9	Other Went over case and documents with Aaron. Contacted Bill Woods, Car Service, and [REDACTED]	3.08	\$150.00	No Charge
5/25/2010	AA9	Other Highlight some important section of NYCRR (200.1, 200.4, and 200.5) for Aaron. Sent fax/e-mail for CAP test.	2.00	\$150.00	No Charge
6/09/2010	LAH	Court Appearance - Adjournment of Impartial Hearing at DOE in Brooklyn, New York	0.33	\$400.00	\$132.00
7/07/2010	LAH	Client Meeting in office	0.83	\$400.00	\$332.00
9/02/2010	BDU	Document Review for [REDACTED]	1.50	\$150.00	No Charge

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Date	Client	Description of Work	Hours	Rate	Charge
9/03/2010	BDU	Document Review of [REDACTED] Matter	3.50	\$150.00	No Charge
9/03/2010	SMI	Document Review for [REDACTED] case	4.50	\$150.00	No Charge
9/03/2010	SMI	Document review	4.50	\$150.00	\$675.00
9/07/2010	BDU	Document Drafting	1.33	\$150.00	No Charge
9/07/2010	KAC	Document Review	1.50	\$150.00	No Charge
9/07/2010	SMI	Document Review Group meeting to discuss current status of case and tasks for upcoming week.	1.25	\$150.00	No Charge
9/09/2010	BDU	Went to [REDACTED] apartment to obtain the IEP but she did not have it available. Came back to the office and looked through [REDACTED] most recent evaluations.	3.50	\$150.00	No Charge
9/09/2010	SMI	Legal Research - Researching of procedural guidelines for conducting a pre-hearing conference and standards of a "Free and Appropriate Public Education".	2.00	\$150.00	\$300.00
9/10/2010	BDU	Trial Preparation	7.50	\$150.00	No Charge
9/10/2010	SMI	Hearing Preparation - Scheduling [REDACTED] CAP Test; Preparing documents to be sent to Bill Woods (DOE rep) in anticipation of upcoming hearing.	7.50	\$150.00	\$1,125.00
9/11/2010	SMI	Hearing Preparation - Preparing binder of documents to be used at hearing and to be sent to B. Woods and hearing officer.	2.00	\$150.00	\$300.00
9/13/2010	BDU	Trial Preparation	4.50	\$150.00	No Charge
9/13/2010	SMI	Trial Preparation - Meeting with clinic members to prepare for upcoming hearing; reviewing and sending documents to the Department of Education's representative and to the impartial hearing office.	4.00	\$150.00	No Charge

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9/14/2010	SMI	Meeting with team to review tasks and research for hearing.	2.50	\$150.00	\$375.00
9/15/2010	SMI	Meeting - Supervision - Meeting with clinic members to discuss upcoming hearing; Team meeting to review tasks completed and still to be done.	5.00	\$150.00	No Charge
9/16/2010	BDU	Trial Preparation - Called the CSE to leave message for V. Sawyer, Speech and Language Evaluator, about [REDACTED] August 2010 IEP, and met with team to plan pre-conference hearing.	3.00	\$150.00	\$450.00
9/16/2010	BDU	Trial Preparation - Met with team about pre-hearing conference and choice to file motion for summary judgment. Research SJ and impartial hearings.	2.58	\$150.00	\$387.00
9/16/2010	SMI	Research - Researching summary judgment and default legal standards in preparation to make respective arguments at upcoming hearing.	2.00	\$150.00	No Charge
9/16/2010	SMI	Research - Researching summary judgment and default legal standards in preparation to make respective arguments at upcoming hearing.	1.50	\$150.00	No Charge
9/17/2010	BDU	Trial Preparation	8.25	\$150.00	No Charge
9/17/2010	LAH	Meeting - In Office: Preparation for impartial hearing	2.00	\$400.00	\$800.00
9/17/2010	SMI	Call with representative from Department of Ed to discuss forthcoming hearing	0.50	\$150.00	\$75.00
9/17/2010	SMI	Mooting - Mooting arguments with team, draft potential direct and cross examination questions, and discussion of team roles in preparation for hearing	6.00	\$150.00	\$900.00
9/18/2010	SMI	Research - Researching summary judgment and default judgment legal standards in preparation to make respective arguments at upcoming hearing.	2.00	\$150.00	No Charge

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9/19/2010	BDU	Prepared questions for direct/cross-examination for upcoming hearing on September 21st. Worked on other misc. trial preparation.	5.83	\$150.00	\$874.50
9/19/2010	SMI	Hearing Preparation - Meeting with team members to discuss and review arguments to be made at upcoming hearing; Researching summary judgment and default judgment legal standards in preparation to make respective arguments at upcoming hearing; Drafting potential direct and cross examination questions.	8.50	\$150.00	\$1,275.00
9/20/2010	BDU	Hearing Preparation - Met with partner Siobhan to discuss hearing strategy	2.00	\$150.00	\$300.00
9/20/2010	BDU	Telephone conference with Nick Chavarria (DOE)	0.50	\$150.00	\$75.00
9/20/2010	BDU	Edited direct/cross examination questions and closing statement.	2.50	\$150.00	\$375.00
9/20/2010	SMI	Document Drafting - Drafted a motion for summary judgment and default judgment to present at upcoming hearing.	4.00	\$150.00	\$600.00
9/20/2010	SMI	Trial Preparation - Team meeting to prepare for upcoming hearing; Supervisory meeting with Professors Hill and Ho; Drafting a formal motion for summary judgment and default judgment.	7.00	\$150.00	No Charge
9/21/2010	BDU	Impartial Hearing	4.25	\$150.00	\$637.50
9/21/2010	LAH	Court Appearance - Impartial Hearing at DOE in Brooklyn, New York	4.25	\$400.00	\$1,700.00
9/21/2010	SMI	Hearing - Impartial hearing at the Department of Education	4.25	\$150.00	\$637.50
9/22/2010	BDU	Meeting - Supervision	1.75	\$150.00	No Charge
9/22/2010	SMI	Meeting - Supervision - Supervisory meeting with Professors Hill and Ho; Team meeting to discuss next steps after hearing	3.00	\$150.00	No Charge

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9/24/2010	BDU	Administrative	5.00	\$150.00	No Charge
9/27/2010	BDU	Document Drafting- Drafted Supervisory Agenda; looked over [REDACTED] latest IEP; prepared for supervisory meeting	2.00	\$150.00	No Charge
9/27/2010	BDU	Administrative- Supervision Meeting to discuss updates in the case	2.00	\$150.00	No Charge
9/27/2010	LAH	Meeting - Supervision: Review of August 2010 IEP	1.00	\$400.00	\$400.00
9/27/2010	SMI	Meeting - Supervision; Phone call with client to discuss current status of case; Individual meeting with Prof. Hill to discuss next steps; Reviewing DOE IEP Procedural manual to critique most recent IEP	5.33	\$150.00	No Charge
9/28/2010	BDU	Administrative- Looked over [REDACTED] IEP and the state guidelines, met with team; discussed strategies for expediting the authorization for additional evaluation.	2.50	\$150.00	\$375.00
9/28/2010	SMI	Telephone Call with CSE representative Charlotte Darrow to discuss school visit; Meeting with team members; Phone call with [REDACTED] to discuss school visit	0.75	\$150.00	No Charge
9/29/2010	BDU	Administrative- Preparation for supervisory meeting and met with team to discuss any updates regarding the authorization	2.25	\$150.00	No Charge
9/29/2010	BDU	Meeting-Supervision to discuss the case	1.75	\$150.00	No Charge
9/29/2010	SMI	Meeting - Student Team; Phone call with ACS and New Alternatives for Children; Updating chron notes with recent telephone calls; Supervisory meeting	3.50	\$150.00	No Charge
9/30/2010	BDU	Correspondence: Contacted Nick Chavarria, DOE rep., numerous times about expediting the authorization for the Central Auditory processing	3.00	\$150.00	\$450.00

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evaluation, received an email about [REDACTED] difficulties at school, left a message with [REDACTED] principal to discuss [REDACTED] difficulties; spoke with social worker from ACS re: [REDACTED] frustration at school and need to move quickly on getting proper placement. Drafted notes about these communications.

9/30/2010	SMI	Document Drafting response to DOE rep Nick Chavarria; Phone call to ACS regarding current status of case; Phone call to [REDACTED] school regarding their communications with Nick Chavarria	2.00	\$150.00	\$300.00
10/01/2010	BDU	Fact Investigation- Reviewed [REDACTED] IEP; Spoke with Nick Chavarria (DOE rep) about evaluations	6.00	\$150.00	\$900.00
10/01/2010	SMI	Telephone Conference with team; Phone call with DOE rep Nick Chavarria regarding CAP exam authorizations; Phone call with provider re scheduling the CAP exam and authorization procedures; Researching DOE guidelines on billing procedures for independent evaluations	7.25	\$150.00	No Charge
10/04/2010	BDU	Document Drafting-Drafted letter to be sent to all parties, worked on supervisory meeting agenda; confirmed Aida's attendance at the 10.07 meeting	3.00	\$150.00	No Charge
10/04/2010	BDU	Meeting - Supervision-Discussed updates in the case and ideas/strategies moving forward;	1.50	\$150.00	No Charge
10/04/2010	SMI	Meeting - Supervision; Drafting and sending email to Department of Education Representative Nick Chavarria; Uploading case documents and chron notes to Time Matters.	2.50	\$150.00	No Charge
10/05/2010	SMI	Meeting - Student Team	0.75	\$150.00	No Charge
10/05/2010	SMI	Correspondence, drafting and editing letter to be sent to all parties involved	1.00	\$150.00	No Charge
10/06/2010	BDU	Meeting - Supervision- Discussed strategy in anticipation of client meeting	1.00	\$150.00	No Charge

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10/06/2010	SMI	Meeting - Supervision; researching information on authorization forms; corresponding with client, social worker, and education advocate to confirm attendance at meeting next day	3.00	\$150.00	No Charge
10/07/2010	BDU	Prepared for client meeting	1.50	\$150.00	No Charge
10/07/2010	BDU	Client Interview to discuss IEPs and to discuss school placements	1.00	\$150.00	\$150.00
10/07/2010	BDU	Document Review-Met briefly with team and Prof. Hill after the client meeting to discuss options moving forward; worked on the letter to the parties	1.50	\$150.00	No Charge
10/07/2010	SMI	Meeting - In Office with client, client's son, son's social worker, and education advocate	2.00	\$150.00	\$300.00
10/08/2010	BDU	Finished the letter to the DOE, MS 247, CSE; received the AA forms from Nick Chavarria and faxed them to Susan Wartsman's (audiologist) office; called [REDACTED] school and left a message for Ms. Fernandes	5.00	\$150.00	\$750.00
10/12/2010	BDU	Finished the letter and emailed it to the CSE, DOE and MS 247; called Madeline Fuentes and Aida Ortiz to schedule [REDACTED] CAP exam for Friday, October 22nd at 10AM	3.75	\$150.00	No Charge
10/12/2010	SMI	Conference; Discussing with team recent phone calls with outside providers; preparing agenda for next day supervisory meeting.	1.00	\$150.00	No Charge
10/13/2010	BDU	Conference- Left Aida a message confirming CAP exam appointment; Left a message with S. Wartsman; left a message with Claudia Fernandes.	0.50	\$150.00	No Charge
10/13/2010	SMI	Meeting - Supervision	2.00	\$150.00	No Charge
10/14/2010	BDU	Spoke with S. Wartsman, Began drafting an outline for Closing Brief	3.25	\$150.00	\$487.50
10/15/2010	BDU	Began first draft of the outline for the	4.33	\$150.00	\$649.50

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		post hearing, closing brief			
10/15/2010	SMI	Conference - Discussing draft outline of post hearing brief, closing with team	1.00	\$150.00	\$150.00
10/17/2010	SMI	Document Drafting - Drafting closing outline; discussing with team; drafting agenda for tomorrow's supervisory meeting	4.00	\$150.00	No Charge
10/17/2010	SMI	Conference - Review of draft and outline of post hearing brief, closing with team	2.50	\$150.00	\$375.00
10/18/2010	BDU	Document Drafting-Worked on outline for Closing Statement	2.00	\$150.00	No Charge
10/18/2010	BDU	Meeting - Supervision-Met with FAC to discuss cases	1.50	\$150.00	No Charge
10/18/2010	SMI	Meeting - Supervision; Meeting with team to discuss outline of draft closing statement.	3.00	\$150.00	No Charge
10/19/2010	BDU	Went to see [REDACTED] to discuss the school visit and obtain her signature for the AA2 form; faxed the forms to Nick.	1.25	\$150.00	No Charge
10/20/2010	BDU	Meeting - Supervision-Discussed options regarding private school and the closing statement with the group.	1.33	\$150.00	No Charge
10/20/2010	LAH	Meeting - Supervision: Reviewing legal arguments for closing statement	2.00	\$400.00	\$800.00
10/20/2010	SMI	Meeting - Supervision; Researching legal arguments for closing statement.	4.00	\$150.00	No Charge
10/21/2010	BDU	Legal Research - Research of case law to use in drafting of the post hearing, closing brief	4.00	\$150.00	\$600.00
10/22/2010	BDU	Document Drafting- Worked on Closing Statement; spoke with Dr. Wartsman about [REDACTED] CAP exam	3.50	\$150.00	\$525.00
10/24/2010	SMI	Legal Research - Research of case law for post hearing brief, closing	3.00	\$150.00	\$450.00
10/25/2010	BDU	Meeting - Supervision	1.17	\$150.00	No Charge

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10/25/2010	BDU	Document analysis of [REDACTED] evaluations and IEPs to use in drafting the closing statement	2.00	\$150.00	\$300.00
10/25/2010	SMI	Meeting - Supervision; meeting with teammate to discuss draft of closing statement.	5.00	\$150.00	No Charge
10/26/2010	BDU	Document Drafting-Closing Statement	2.00	\$150.00	No Charge
10/26/2010	SMI	Document Drafting - Review of [REDACTED] evaluations and IEPs for drafting of post hearing brief, closing statement	2.00	\$150.00	No Charge
10/27/2010	BDU	Meeting - Supervision- Met with team to discuss updates/dilemmas	2.00	\$150.00	No Charge
10/27/2010	SMI	Document Drafting of post hearing brief, closing statement	2.00	\$150.00	\$300.00
10/27/2010	SMI	Meeting - Supervision; document drafting closing statement.	5.00	\$150.00	No Charge
10/28/2010	BDU	Legal Research - Research of further case law to use in drafting of the post hearing, closing brief	5.50	\$150.00	\$825.00
10/28/2010	SMI	Meeting - Student Team editing and redrafting post hearing brief, closing statement	4.00	\$150.00	\$600.00
10/29/2010	SMI	Legal Research - Further research of case law for post hearing brief, closing statement	4.00	\$150.00	No Charge
11/01/2010	BDU	Meeting - Supervision- Met with team to discuss closing statement and SLCD	2.00	\$150.00	No Charge
11/01/2010	BDU	Document Editing - Use of case law, [REDACTED] IEPs and evaluations to edit first draft of post hearing, closing brief	2.00	\$150.00	No Charge
11/01/2010	SMI	Meeting - Supervision; document drafting closing statement	4.00	\$150.00	No Charge
11/02/2010	BDU	Further document analysis to add supporting evidence for the composition of second draft of post hearing, closing brief	6.17	\$150.00	\$925.50

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11/02/2010	SMI	Document Drafting	1.92	\$150.00	No Charge
11/03/2010	BDU	Document Drafting and Legal Research - Research of case memorandums and transcripts to assist in the further drafting of the post hearing, closing brief	2.00	\$150.00	No Charge
11/03/2010	BDU	Document Editing and Drafting - post hearing, closing brief	3.75	\$150.00	No Charge
11/03/2010	SMI	Meeting - Supervision	2.00	\$150.00	No Charge
11/03/2010	SMI	Document Drafting	1.92	\$150.00	No Charge
11/03/2010	SMI	Drafting and Editing - Closing Statement drafts edits and revisions	7.00	\$150.00	No Charge
11/04/2010	BDU	Document Drafting- Closing Statement	7.00	\$150.00	\$1,050.00
11/04/2010	BDU	Document Drafting- post hearing, closing brief	2.50	\$150.00	\$375.00
11/04/2010	SMI	Document Drafting - Input of further revisions for post hearing brief, closing following conference with team	2.92	\$150.00	\$438.00
11/04/2010	SMI	Document Drafting	3.00	\$150.00	No Charge
11/04/2010	SMI	Document Drafting of post hearing brief, closing	4.00	\$150.00	No Charge
11/04/2010	SMI	Meeting with team to review the draft post hearing brief, closing	2.00	\$150.00	\$300.00
11/05/2010	BDU	Document Editing- Final editing and drafting of the post hearing, closing brief	8.00	\$150.00	No Charge
11/05/2010	SMI	Document Drafting	2.00	\$150.00	No Charge
11/05/2010	SMI	Document Editing - Final editing of post hearing brief, closing and submission of closing statement to IHO	9.00	\$150.00	\$1,350.00
11/08/2010	BDU	Updates on case with FAC group.	2.00	\$150.00	No Charge
11/08/2010	SMI	Meeting - Student Team; Meeting - Supervision	3.00	\$150.00	No Charge

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11/10/2010	BDU	Supervision hours and team meeting	2.00	\$150.00	No Charge
11/12/2010	BDU	Research appropriate private schools in the NYC area.	2.75	\$150.00	\$412.50
11/15/2010	BDU	Meeting - Supervision	2.00	\$150.00	No Charge
11/15/2010	SMI	Meeting - Supervision; meeting - student group	2.00	\$150.00	No Charge
11/16/2010	BDU	Research-Researched private schools as well as spoke with Nancy Geller about the CAP Exam	1.83	\$150.00	No Charge
11/17/2010	BDU	Telephone Conference-Spoke with Aida about [REDACTED] updates as well as scheduling a meeting with ACS for Friday, November 19th	0.50	\$150.00	No Charge
11/17/2010	SMI	Meeting - Supervision; meeting - student group to discuss end semester tasks	3.00	\$150.00	No Charge
11/19/2010	BDU	Researched private schools	1.50	\$150.00	No Charge
11/22/2010	BDU	Meeting - Supervision	1.50	\$150.00	No Charge
11/22/2010	SMI	Meeting - Student Team	1.50	\$150.00	No Charge
11/22/2010	SMI	Researching local CAP exam providers; looking for a provider who works with non-native English speaking children; drafting case transition memo.	2.00	\$150.00	No Charge
11/24/2010	BDU	Document Drafting-Case status memo	3.42	\$150.00	No Charge
11/28/2010	SMI	Administrative - Preparing case status memo	4.00	\$150.00	No Charge
11/29/2010	BDU	Meeting - Supervision	1.58	\$150.00	No Charge
11/29/2010	SMI	Meeting - Supervision; Researching and calling providers in NY in an attempt to find one to conduct a CAP exam on a non-native English speaker	2.00	\$150.00	No Charge
11/30/2010	SMI	Correspondence; Speaking with provider regarding CAP exam for [REDACTED] Creating chron note re conversation	0.50	\$150.00	No Charge

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12/01/2010	SMI	Meeting - Supervision; Preparing and faxing documents re [REDACTED] to CAP exam provider	2.00	\$150.00	No Charge
12/04/2010	SMI	Correspondence - Phone call with Ms. [REDACTED] Aida, and CHC about the SLCD tour and rescheduling the CAP exam	0.75	\$150.00	No Charge
1/18/2011	BDU	Administrative-TM training	1.50	\$150.00	No Charge
1/18/2011	BDU	Telephone Conference- Spoke with Elizabeth Byrwa about [REDACTED] updates	0.17	\$150.00	No Charge
1/18/2011	BDU	Prepared the SLCD application	1.50	\$150.00	\$225.00
1/19/2011	BDU	Met with team to discuss next steps regarding [REDACTED] matter and assemble the application.	1.50	\$150.00	No Charge
1/19/2011	BDU	Administrative-Clinic lunch	0.50	\$150.00	No Charge
1/21/2011	BDU	Preparing SLCD application material and mailing it out.	1.25	\$150.00	No Charge
1/21/2011	BDU	Telephone Call with Aida Ortiz	0.25	\$150.00	\$37.50
1/21/2011	BDU	Telephone Call with SLCD	0.17	\$150.00	No Charge
1/24/2011	BDU	Meeting - Student Team	2.00	\$150.00	No Charge
1/24/2011	BDU	Telephone Calls to Nick Chavarria, Ms. [REDACTED] and Aida Ortiz	0.42	\$150.00	No Charge
1/24/2011	BDU	Telephone Call from Aida Ortiz	0.17	\$150.00	No Charge
1/25/2011	BDU	Telephone Call with Elizabeth Byrwa	0.17	\$150.00	No Charge
1/25/2011	BDU	Document Drafting-Class 4 Assignment (Case Theory)	1.33	\$150.00	No Charge
1/26/2011	BDU	Telephone Call with Nick Chavarria	0.17	\$150.00	\$25.50
1/26/2011	BDU	Telephone Call with [REDACTED]	0.17	\$150.00	No Charge
1/27/2011	BDU	Document Drafting (Agenda for team meeting)	1.00	\$150.00	No Charge

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1/27/2011	BDU	Research on speech/language and private tutors	2.33	\$150.00	No Charge
1/28/2011	BDU	Telephone Calls to Nick Chavarria, Maria Carrion, Aida Ortiz, Claudia Fernandes and Elizabeth Bwrya. Emails with updates to team.	1.25	\$150.00	No Charge
1/31/2011	BDU	Meeting - Supervision	2.00	\$150.00	No Charge
1/31/2011	BDU	Document Drafting-Post supervision agenda	0.67	\$150.00	No Charge
2/01/2011	BDU	Telephone Calls with [REDACTED] and Aida Ortiz	0.33	\$150.00	\$49.50
2/01/2011	BDU	Meeting - Brief meeting with Morgan to update each on phone calls made and next steps	0.42	\$150.00	No Charge
2/02/2011	BDU	Document Drafting- Memo on deferral to CBST	1.67	\$150.00	No Charge
2/02/2011	BDU	Telephone Call from Arlene Pineda	0.42	\$150.00	\$63.00
2/02/2011	BDU	Meeting - Supervision	1.00	\$150.00	No Charge
2/02/2011	BDU	Meeting - Student Team	0.50	\$150.00	No Charge
2/02/2011	BDU	Document Review of Kathy's Agenda	0.67	\$150.00	No Charge
2/03/2011	BDU	Telephone Call from Elizabeth Byrwa	0.17	\$150.00	No Charge
2/03/2011	BDU	Telephone Call with Arlene Pineda (school psychologist)	0.17	\$150.00	\$25.50
2/03/2011	BDU	Telephone Call-Left message with Susan Wartsman	0.08	\$150.00	\$12.00
2/04/2011	BDU	Research on Attorney's Fees	0.58	\$150.00	\$87.00
2/04/2011	BDU	Document Editing- Client meeting agendas	1.25	\$150.00	No Charge
2/07/2011	BDU	Client meeting	1.50	\$150.00	\$225.00
2/07/2011	BDU	Meeting - Supervision	1.50	\$150.00	No Charge
2/07/2011	BDU	Document Drafting-Attorney Fee	2.08	\$150.00	\$312.00

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		Request preparation			
2/08/2011	BDU	Document Drafting-Attorney Fee request	1.42	\$150.00	\$213.00
2/09/2011	BDU	Document Drafting and research for attorney fee request	2.17	\$150.00	\$325.50
2/11/2011	BDU	Document Drafting-Compiling time records for Attorney Fee Request	3.17	\$150.00	\$475.50
2/12/2011	BDU	Document Drafting-Attorney fee request-inputting student's billing hours into chart	3.08	\$150.00	\$462.00
2/14/2011	BDU	Meeting - In Office Supervision	1.25	\$150.00	No Charge
2/14/2011	BDU	Document Drafting-Attorney fee request	0.75	\$150.00	\$112.50
2/15/2011	BDU	Document Drafting-Attorney fee request application	1.67	\$150.00	\$250.50
2/16/2011	BDU	Document Drafting-Attorney fee request	2.00	\$150.00	\$300.00
2/16/2011	BDU	Meeting - In Office with Morgan and Kathy	0.50	\$150.00	No Charge
2/17/2011	BDU	Telephone Call - Telephone Call with Arlene Pineda and Tanya Covington	0.25	\$150.00	\$37.50
2/18/2011	BDU	Document Drafting-Draft of letter to Elizabeth Byrwa	1.25	\$150.00	No Charge
2/18/2011	BDU	Document Drafting-Attorney Fee Request	1.08	\$150.00	\$162.00
2/22/2011	BDU	Document Drafting-Edits to letter for Elizabeth Byrwa	0.92	\$150.00	No Charge
2/22/2011	BDU	Document Drafting-Attorney Fee Request	1.17	\$150.00	\$175.50
2/22/2011	BDU	Telephone Call to [REDACTED] and Aida Ortiz	0.17	\$150.00	No Charge
2/23/2011	BDU	Document Editing-Letter to Elizabeth Byrwa	0.58	\$150.00	No Charge

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2/23/2011	BDU	Research on Residential schools and CBST deferrals	0.75	\$150.00	No Charge
2/24/2011	BDU	Document Drafting-Final edits of letter to Elizabeth Byrwa	0.50	\$150.00	No Charge
2/24/2011	BDU	Document Drafting-Attorney Fee Request	1.50	\$150.00	\$225.00
2/24/2011	BDU	Research on Residential school requests in IEP meetings	0.92	\$150.00	No Charge
2/25/2011	BDU	Document Drafting-Fee request edits	0.00	\$150.00	\$0.00
2/25/2011	BDU	Research on IEP process and residential schools	2.33	\$150.00	\$349.50
2/26/2011	BDU	Document Drafting-Case theory assignment for class 8	1.50	\$150.00	No Charge
2/28/2011	BDU	Research on residential schools by looking through SRO decisions	1.30	\$150.00	No Charge
2/28/2011	BDU	Telephone Call from Arlene Pineda	0.08	\$150.00	\$12.00
2/28/2011	BDU	Meeting - Supervision to discuss cases	2.00	\$150.00	No Charge
3/01/2011	BDU	Research on IEP development	1.90	\$150.00	No Charge
3/02/2011	BDU	Telephone Calls with [REDACTED] Aida and Arlene Pineda to schedule IEP meeting	0.17	\$150.00	\$25.50
3/02/2011	BDU	Research on [REDACTED] IEP, the IEP process in preparation for IEP meeting	1.75	\$150.00	No Charge
3/03/2011	BDU	Research for IEP Meeting	1.33	\$150.00	No Charge
3/04/2011	BDU	Review of [REDACTED] past evaluations and teacher reports.	2.42	\$150.00	No Charge
3/04/2011	BDU	Research in preparation for [REDACTED] IEP meeting	1.67	\$150.00	No Charge
3/07/2011	BDU	Preparation for IEP meeting	1.00	\$150.00	No Charge
3/07/2011	BDU	Meeting - Supervision	1.08	\$150.00	No Charge
3/07/2011	BDU	Document Drafting-List of findings, and	2.25	\$150.00	\$337.50

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		recommendations for [REDACTED]			
3/09/2011	BDU	Document Review of [REDACTED] IEPs and evaluations	1.08	\$150.00	No Charge
3/09/2011	BDU	Document Review of [REDACTED] IEPs and evaluations	1.58	\$150.00	No Charge
3/09/2011	BDU	Telephone Call from Elizabeth Byrwa	0.25	\$150.00	No Charge
3/10/2011	BDU	Document Review in preparation for IEP meeting	1.83	\$150.00	No Charge
3/11/2011	BDU	Conference-IEP Meeting at MS 247	2.75	\$150.00	\$412.50
3/11/2011	BDU	Meeting - In Office with team to discuss IEP meeting	0.50	\$150.00	No Charge
3/21/2011	BDU	Meeting - Supervision	1.33	\$150.00	No Charge
3/21/2011	BDU	Telephone Call with Arlene Pineda	0.08	\$150.00	\$12.00
3/23/2011	BDU	Meeting - Student Team to discuss Carrion matter	0.42	\$150.00	No Charge
3/24/2011	BDU	Telephone Call with CBST	0.17	\$150.00	No Charge
3/31/2011	BDU	Phone calls to Aida Ortiz, [REDACTED] and Arlene Pineda	0.25	\$150.00	No Charge

Total Hours:	978.30	Total Fees	\$57,345.00
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Total New Charges

\$57,345.00

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Michael A. Cardozo, Corp Counsel of NYC
 was received by me on *(date)* 12/20/12.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Dmitriy Aronov, who is
 designated by law to accept service of process on behalf of *(name of organization)* Corp Counsel of NYC, DOE
Attorney for Defendant, Dept of Education of NYC on *(date)* 12/20/12; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ 0.00 for travel and \$ 0.00 for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 12/20/12

Eva Marie Franco
Server's signature

Eva Marie Franco, legal intern
Printed name and title

304 W 92nd St, NY, NY 10025; 33 W 60th St, NY, NY 10023
Server's address

Additional information regarding attempted service, etc: